

The Rt. Hon. Sayyid Ameer Ali

AMEER ALI

HIS LIFE AND WORK

By the Same Author

Britain and Muslim India: A study of British public opinion *vis a vis* the Development of Muslim Nationalism in India, 1857-1947, Heinemann, London, 1963.

Some Problems of Research in Modern History, Pakistan Council, Rawalpindi, 1966.

The Making of Pakistan: A study in Nationalism, Chatto & Windus, London, 1967.

Ameer Ali

HIS LIFE AND WORK

by

K. K. AZIZ

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TO

MY FATHER

PREFACE

Sayyid Ameer Ali occupies a high place in the history of modern Muslim India. He was a man of many parts. Distinguished in the theory and practice of law, a daring pioneer in the task of political organisation of Indian Muslims, eminent as an historian of Islam, deeply concerned with the fortunes of all Muslim lands, a defender of the faith against the ignorance and prejudice of the West, an informed critic of British imperial policies in India, a prolific and persuasive writer, a scholar equally at home in the knowledge of the West and the wisdom of the East—none dare envy or deny his greatness.

Above everything else he was a God-intoxicated man who lived by and with the Quran, who identified Islam with progress, who took his religion as a system of life rather than as a mere system of thought, who loved the Prophet with all the passion that personal faith commands and all the insight that reason dictates. With Sayyid Ahmad and Iqbal he was of that goodly band who brought the men of India face to face with Islam, made them conscious of their identity and their destiny, and moulded a rabble into a nation. With them he was a harbinger of that Islamic renaissance which, in the ultimate creation of Pakistan, made the Muslims of India a part of the world of Islam, thus saving them from the advancing tide of Hindu ambition. He was an equally effective agent of the intellectual revolution in Islam which has been sweeping over the Muslim world since the last quarter of the nineteenth century.

To study the ideas and ideals of such a man is an exciting adventure. It is rewarding to see how his opinions and attitudes developed over the years and how they influenced the Indian and Muslim mind, In Book One I have attempted a brief life-sketch

of the Sayyid and an analysis of his major ideas in relation with contemporary events. In Book Two I have collected most of his scattered writings which make up a substantial body of work and which show how he reacted to the political developments of his time and also how he influenced them. In order to underline this connection between ideas and events all items in Book Two have been arranged in a chronological order. I have added explanatory notes wherever I thought some matter required annotation. The appendices contain some useful information, and the bibliographical note at the end may be a helpful guide to those who want to explore the subject a little further. Taken with his two major books, *A Short History of the Saracens* and *The Spirit of Islam*, which are still in print and readily available, it is hoped that this volume will enlarge our knowledge of a man to whom we owe much.

A word about the "Memoirs". Mr Waris Ameer Ali tells me that they were written up by him and his mother from notes left by Ameer Ali. They are not the Sayyid's work. This is a significant fact worth recording, for so far none has mentioned it, including those who have reproduced them without any introduction or comment.

Before his death Ameer Ali requested that all his papers and letters should be destroyed. When he died this instruction was carried out by his wife and sons. Thus much valuable material was lost to history. Fortunately, some papers were then mislaid and could not be burnt. There are no letters among them, but there are texts of speeches and some printed stuff with amendations, corrections and marginal notes in Ameer Ali's hand. All that was thus saved is in my possession and much of it has been reproduced here for the first time.

I do not claim that everything that Ameer Ali wrote, apart from his well-known books, is contained in this volume. As every student of history knows to his chagrine, few collections of this kind remain inclusive for any length of time. I shall be grateful if my readers draw my attention to any new material which I have overlooked or failed to discover, so that such gaps may be filled in subsequent editions.

It is a pleasure to record my thanks to several friends and institutions for their guidance, help and courtesy. Foremost among them is Mr. Waris Ameer Ali, late of the Indian Civil Service, who talked to me about his father for long hours, gave me the invaluable papers of the Sayyid, permitted me to reproduce what follows in Part Two, and furnished me with the two photographs which go with this volume. Without his help and co-operation this book would never have been written. Sir Torick Ameer Ali was equally willing in allowing me to reproduce copyright material.

I am indebted to the photographic departments of the India Office Library, the British Museum reading room, and the Senate House Library of the University of London, for their courtesy and despatch in providing me with photocopies of Ameer Ali's writings.

My wife gave me much aid and comfort during the preparation of this volume by way of encouragement, reading of proofs and checking of references. I am very grateful to her. My old friend Professor Anwaar Syed, of the University of the Panjab, gave me much wise counsel in the presentation of the book and I wish to express my thanks for this. Shaikh Muhammad Amin, my publisher who is also a friend, was good enough to surmount the difficulties inherent in the situation of the author and his publisher living in different continents.

The University
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K. K. AZIZ

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Some items have been reproduced from journals which are now defunct—*Westminster Gazette*, London, *The Nation*, London, and the *Civil & Military Gazette*, Lahore.

I wrote four times to the *Islamic Culture*, Hyderabad, requesting permission to reproduce the four articles and the "Memoirs" which originally appeared in that journal. I received no reply. Attributing this silence to the vagaries of Indian or Sudanese postal systems rather than to editorial reluctance, and believing in the traditional courtesy and generosity of the journal, I have reprinted the relevant material and I hope that my apology and grateful acknowledgement will be accepted in the spirit in which they are offered.

K. K. A.

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BOOK ONE

LIFE

Chapter I

LIFE AND TIMES

Descent and Family

Sayyid Ameer Ali's family traced their descent from the Prophet through his daughter Fatima.[1] A long time ago one of the family, Ali al-Raza, the eighth apostolic Imam, came to Khurasan, in north-east Persia, on the invitation of the Abbasid Khalifa, al-Mamun, and settled in the neighbourhood of Meshhed. In later centuries many members of the family held high office under the Sufi rulers of Persia. One was a grand chamberlain to the King shortly before the Afghan invasion, and another was the chief *mujtahid* at Kum.

In 1739 when Nadir Shah invaded India his Khurasani contingent was commanded by one Ahmad Afzal Khan, who was Ameer Ali's grandfather's grandfather. After the defeat of the Mughul Emperor and the sack of Delhi when the Persian adventurer was returning home, Muhammad Shah, the vanquished ruler, invited Ahmad Afzal to enter his service. Nadir Shah gave his sanction and the Khurasani commander transferred himself and the remainder of his seven thousand-strong contingent to the service of the Delhi court Nadir Shah's departure was followed by the Maratha uprising against Mughul authority. The King was too weak and the Empire too dilapidated to counter the hardy free-booters. Ahmad Afzal and his son, Muhammad Tahir, defended Delhi but were beaten and driven away to Lahore where they

1. Throughout this chapter (except in the last section) I have heavily drawn on Ameer Ali's "Memoirs" published in the *Islamic Culture* of Hyderabad (Deccan) after his death. All quotations are from these unless otherwise stated.

took refuge. In the meantime Afzal Ahmad Khan died and Muhammad Tahir received an offer of service from Shuja-ud-Daula, the new ruler of Oudh. The offer was accepted and thus Ameer Ali's family made their home in India.

Since the coming of the Muslims to India a habit had grown among the newly-arriving Sayyids of settling down where their earlier kinsmen had taken up their abode. Four favourite places of this kind were Hillour, Barah, Mohan and Bilgram. Muhammad Tahir chose Mohan in the district of Unao for his home.

In 1761 Muhammad Tahir was one of the Mughul commanders who joined up with Ahmad Shah Abdali, the Afghan King, at the plain of Panipat in the overthrow of the Marathas. His son, Mansur Ali Khan, *alias* Munawwar Ali Khan (Ameer Ali's grandfather), was a revenue collector in the service of Nawab Asaf-ud-Daula (the ruler of Oudh who figures in Sauda's *Qasida-i-Shekar-i-Ashob*). In 1820 Mansur Ali Khan was killed in an encounter with a refractory Raja. The bringing up and education of his son, Saadat Ali, was taken in hand by one Hakim Siraj-ud-Din Ali Khan who had married Mansur's sister. The Hakim gave the orphan boy the education and training of a physician, but Saadat Ali's restless spirit did not allow him to live at home and practise his profession. The death of his mother released him from obligation to stay and, making over his share of the patrimony to his three elder brothers, he set out to see the world and try his fortune.

For many years he travelled all over India, seeing the country, meeting every variety of people, learning things and studying mankind. During one of these journeys he tarried awhile in Sambalpore and married the daughter of a nobleman of the place, Shams-ud-Din Khan. The responsibilities of wedded life persuaded him to make a home and he chose to settle down at Cuttack in Orissa where one of his cousins, Jafar Ali Khan was a deputy collector and settlement officer under the East India Company.

Early Life and Education: 1849-1868

Ameer Ali was born at Chinsura, a former Dutch settlement on the Hooghly in Bengal, on 6 April, 1849. His father was a

remarkable man for his age. Without any university education or liberal training he decided to send his sons to good schools for an English education. At a time when Indian Musalmans were turning their back to Western education and English language, he was shrewd enough to foresee the time when an English education would be an important factor in the growth of the people. This decision was reinforced by the advice he received from two Englishmen whose acquaintance he had made in Cuttack, in particular from Dr. Mowat, the Director of Public Instruction in Bengal. The three elder sons were duly despatched to the Calcutta Madrassah. A little later, tired of living in Calcutta, Saadat Ali shifted to Hooghly where his old friend, Sayyid Karamat Ali, was then the *mutawalli* of the Mohsin Endowment. The two elder sons were also removed to the Mohsinia College.

The boys attended school in the morning and in the evening a maulvi came to coach them in Persian and Urdu and to instruct them in the fundamental beliefs and practice of religion. When one by one the three elder brothers were gone to enter service Ameer Ali received more attention from his mother. For his private study he was left much to himself. He made good use of this opportunity and by the time he was twelve he had finished most of Gibbon's *Decline and Fall of the Roman Empire*. 'Although many parts were too difficult for me to understand, he wrote later, 'and I required to read them over and over again later, the picture of the Roman Empire and its development and the march of the conquering legions enthralled me. But the sixth volume in which the historian describes the rise of the Saracenic power I found especially fascinating.'

His father possessed good scholarship in Arabic and Persian besides a knowledge of medicine. He had devoted much time to Arab history and philosophy and had nearly completed a history of the Prophet when he died of an attack of cholera in 1856.

In the Hooghly College Ameer Ali was much impressed by the principal, Robert Thwaytes, and was the recipient of many a kindness from him. In his "Memoirs" he has called him 'one of the best friends of my life' and has recorded that whatever good qualities he had or later developed were due to three persons, his mother, Robert Thwaytes and Sayyid Karamat Ali. His formative

years received their moulding from two other sources. Ronald Cockerell, then the collector of the district, was an old-fashioned, cultured Englishman whose keen interest in the young student made them good friends despite the difference in their ages. He told the enthusiastic and intelligently receptive Indian what the West was like in life and thought and in turn learnt something of the ways of the East. Professor Henry Brailsford was for a time a teacher of English at the College. Highly cultivated and a man of broad sympathy he supervised Ameer Ali's reading in Western literature and must bear credit for the development of his pupil's refined taste.

Outside the school Ameer Ali derived the greatest inspiration from Sayyid Karamat Ali. This *mutwalli* of the Hooghly *imambara* was a much-travelled man with a well-trained sense of humour. Having spent several years at the Persian court of Fateh Ali Shah and known Dost Muhammad, the Ameer of Afghanistan, he was as well versed in the problems of Muslim Asia as widely read in Islamic history and religion. With a good grasp of ancient Hindu philosophy he was truly qualified to indulge in his favourite pastime of comparing old Indian beliefs with classical Arab philosophy.

Ameer Ali's reading in his teens makes an impressive list. Partly owing to his natural fondness and partly under the guidance of men like Brailsford he galloped with ease through the ancient and modern authors of the East and the West. Most of Shakespeare, Milton's *Paradise Lost* and several minor poems, Keats, Byron, Tom Moore, Johnson, Longfellow, the Lake poets, Fenimore Cooper, Bulwer Lytton, Thackeray and the whole of Scott—this is good fare by any standard. He knew Shelley almost by heart. Dickens he could not appreciate till his arrival in England. In historical studies he had read widely and profitably in the history of European and eastern civilisations and in the annals of the American War of Independence. 'And so I was able,' he writes modestly, 'in some degree to meet Europeans in intellectual sympathy'. His European studies proved no bar, as they have in many other Indian men of note, to the cultivation of Oriental learning. He read Persian with an inherited keenness of eye and maturity of taste. He was fast learning Arabic and at the

same time utilising his acquaintance of the tongue in going to the original texts in history, religion and philosophy.

With his capacity for hard work, his wide reading and his native intelligence he found no difficulty in passing the required examinations. In 1867 he graduated and a year later became the first student from the College to take a Master's Degree. His post-graduate subjects were History and Political Economy. His brilliant academic career now brought him a two-year Senior Scholarship, part of which he spent in earning the degree of Bachelor of Laws.

The legal qualification gave him an immediate entry into a profession and he lost no time in enrolling himself as a pleader in Calcutta. In 1868 Lord Kimberley had established the State Scholarships to enable selected Indian students to receive higher education in England. The principal of the College suggested to Ameer Ali that he should apply for one of these scholarships and this advice was supported by his own eldest brother. The selectors of the scholarships could hardly have heard from a better qualified applicant. He obtained the scholarship and sailed for England in December 1868.

Studies in England: 1869-1873

Ameer Ali did not go to England as an ordinary student. The Viceroy, Lord Mayo, gave him three letters of introduction—one to his brother, Robert Bourke (later Lord Connemara), one to Sir William Kaye, and one to the Master of Downing College, Cambridge. Among other introductions he carried with him were those to Lord Lawrence, the former Viceroy, and to Sir Frederick Halliday, a former Lieutenant Governor of Bengal.

He sailed from Calcutta in December 1868 on board the steamer *Simla*. At Point de Galle, where the ship stayed three days, an interesting thing happened. When the Muslim population of the place came to know that a Sayyid was travelling by the anchored ship they sent him a deputation and invited him to a banquet. He was treated to 'overwhelming' hospitality at the house of the leader of the community. After the feast was over many children were presented before him 'to receive my benediction'.

In London he settled down in the family of a widow of a clergyman, a Mrs. Chase, and stayed there throughout his four years in England. Among the well-known figures of that day whose acquaintance he made may be mentioned Millicent Fawcett, the leader of the female suffrage movement, Moncure Conway, the American writer, Mrs. Thomas Taylor of Aston Rowant, Oxfordshire, Dean Stanley, the Montalba sisters, Sir Denis Fitzpatrick, Sir Frederick Halliday and Lord and Lady Lawrence. He also had an unusual opportunity of having a ten-minute talk with Napoleon III, the exiled French Emperor. He was received by the Marquess of Salisbury, the Secretary of State for India, who asked him if Indian Muslims were taking advantage of the new conditions created by the Queen's Proclamation to catch up with the Hindus. Ameer Ali's reply was a qualified one and contained references to certain decisions of the Government of India which were unfavour able to Muslim progress. Lord Salisbury asked him to explain more fully. What the young student told the noble Marquess was set out, twelve years later, in his "A Cry from the Indian Mahomedans" which was published in the *Nineteenth Century* of August 1882.

Lord Mayo's brother, Robert Bourke, and his wife, who was a daughter of Lord Dalhousie, showed Ameer Ali much kindness. Bourke was the sponsor at his admission to the Inner Temple. As he had taken a law degree at Calcutta he was exempted from taking examinations and thus had ample time to devote himself to chamber work and attend the Common Law courts. He was called to the Bar on 27 January, 1873. Shortly afterwards he returned to India by an Italian steamer from Genoa to Bombay.

On his way back he stayed a few days in Paris where he met the great Orientalist, Garcin de Tassy, and was much impressed with his command over the Urdu language and his long recitations from memory from the poetry of Atash and Sauda.

It was during his stay in London that he wrote his first book. The inspiration came from a conversation he had with Henry Channing (a nephew of the famous Unitarian preacher of that name), in which Channing declared that, in his opinion, the only holy war waged by humanity was Abraham Lincoln's campaign for the emancipation of the negro. The talk turned to slavery,

and when Ameer Ali explained Islamic injunctions against slavery and racialism, Channing's interest was aroused, and they had a long talk on the subject. Channing lent him a copy of Clark's *Ten Great Religions* which, on perusal, Ameer Ali found to be teeming with errors. On Ameer Ali's reference to these errors Channing persuaded him to write something on the subject. This was the genesis of his first book, *The Critical Examination of the Life and Teaching of Muhammad*. It was written during the leisure hours of 1872 and came out in early 1873 just as he was returning to India. For an Indian of twenty-four it shows a remarkable command of English idiom and reads smoothly and well.

Legal and Public Career in India: 1873-1904

When Ameer Ali reached Hooghly the principal of his old college gave the students a day off in welcome of the distinguished old boy. The fresh arrival was enrolled as an advocate of the High Court of Calcutta in February 1873. In the beginning he found it hard to make money. 'I expected no backing,' he tells us, 'and received none. The English solicitors looked upon me as an interloper; the Hindus frankly disliked me; while the Muslims considered me as a renegade because of the English method of life I had acquired.' But he was determined, diligent and able, and soon found himself out of the woods. He regularly contributed to the *Observer*, the powerful Calcutta journal edited by T.D. Ingram. Besides, he was given a Reportership which brought extra emolument. By the end of 1874 he was earning enough to be able to clear off his brother's[2] debts and to pay a short visit to England in 1875.

Quite early in his practice he established himself as an expert in Muhammadan Law, and soon this recognition earned him a part-time lectureship in Muhammadan Law at the University of Calcutta. A little later he officiated as Presidency Magistrate of Calcutta. In 1877 he was again in England for five weeks, and on his return was persuaded by Sir Ashley Eden, the Lieutenant Governor of Bengal, to accept the permanent position of Pre-

2. His elder brother, Sayyid Waris Ali, who had suddenly died in 1872 when Ameer Ali was in England.

sidency Magistrate. So well did he discharge his duties that in 1879 he was promoted to the office of officiating Chief Presidency Magistrate. In 1874 he was elected a Fellow of the University of Calcutta. About this time he was also nominated member of the Bengal Legislative Council.

'Perceiving the complete lack of political training among the Muslim inhabitants of India, and the immense advantage and preponderance the Hindu organizations gave to their community,' in 1877 Ameer Ali founded the National Muhammadan Association and continued to be its secretary for over twenty-five years. In a short while the Association succeeded in forming a network of nearly 34 branches in India covering almost all the provinces from Madras to Sind. Its name was, therefore, changed to the Central National Muhammadan Association. It did much for the amelioration of the Muslims of India and until the turn of the century was the only *de facto* and *de jure* representative organisation of Muslim India. 'Our programme was primarily to promote good feeling and fellowship between the Indian races and creeds, and at the same time to protect and safeguard Muhammadan interests and help their political training. I felt that great changes were impending in the system of Government, and that unless the followers of Islam prepared themselves they would soon be outstripped in the political race by their Hindu fellow-countrymen.' Nawab Ameer Ali (no relative to our Sayyid) was the president of the Association. The success of the Association can be indicated by recalling that it was its memorial of February 1882 submitted to Lord Ripon, the Viceroy, which led to a resolution of the Viceroy-in-Council, in March 1885, recognising the claims made by the memorialists, which contributed a landmark in the history of the Muslims of India. It paved the way for the establishment of the All India Muslim League in 1906.

The year 1879-80 was again spent in England, and Ameer Ali added some more well-known names to his circle of friends. By a happy chance he met James Knowles, the editor of the *Nineteenth Century*, and, on his request, immediately began to write for the journal. These contributions continued for nearly half a century and did much to educate British public opinion in Indian, and especially

Muslim Indian, problems. His first article in the journal[3] attracted the notice of Lord Hartington (later Duke of Devonshire), the then Secretary of State for India. They met at a reception and later, on Hartington's request, for a long discussion on India. Ameer Ali thus recalled his conversation with the Secretary of State: 'He put to me a series of questions covering a range of subjects from education to a larger association of the Indian element in the administration of the country. What struck me in Lord Hartington was his enquiring mind, readily open to the reception of new ideas. Unlike many administrators he even appeared willing to accept suggestions. I ventured to observe, in reply to some of his questions, that after the suppression of the Mutiny the British Government made a mistake in not associating, in administrative activities, new elements that were emerging from the chaos. He asked for explanation. I said that if instead of basing British rule entirely on the old conservative forces which were supposed to be in its favour, the younger generation had been taken into counsel at the earliest possible stage of development, the growing disposition to be captious and hypercritical would have been kept under.'

'One of the points on which I laid stress and which Lord Hartington appeared to approve, was the widening of the Councils and giving them a more popular character. Had he been allowed by circumstances to carry into effect what I believe he had in mind, India would have been better prepared for Mr. Montagu's experiment in democracy. The educated classes would have received a solid foundation of political training, and realised the value of compromise and mutual toleration in a country, or continent, replete with bitter divergencies. It was not his fault that the proposition did not mature as he wished; the usual *vis inertiae* frustrated his design.'

At a dinner given by George Cotter Morrison (the author of *The Religions of Humanity* and the *Life of Gibbon*, and the father of Sir Theodore Morrison) Ameer Ali met such distinguished men of letters as George Meredith and Bulwer Lytton. Another new

3. "Some Indian Suggestions for India," *Nineteenth Century*, June 1880, pp. 963-78.

friend was Lord Stanley of Alderley who had embraced Islam John (later Viscount) Bryce became a friend and remained so till he took up the Armenian cause and by doing so offended Ameer Ali's sense of justice. Among the Liberal politicians of the time he had contacts with John Bright, his brother Jacob Bright, and James Stansfeld.

During this stay in England Ameer Ali wrote the first draft of his *Personal Law of the Muhammadans*, which was later amplified and still later formed the second volume of his work on Muhammadan Law.

On Friday, 16 July, 1880, at the house of some friends, the thirty-one-year old Ameer Ali met 'the lady of my dreams.' She was Isabelle, a daughter of the late H. Konstam, and a sister of the distinguished actress, Miss Gertrude Kingston, and of E.M. Konstam, K.C. They were married in London four years later.

On his arrival in India Ameer Ali was faced with a decision about his career. He did not like his magisterial work and had no desire to stagnate in the lower judicial ranks. His heart lay in going back to legal practice with its variety and prospects. The affiance he had recently given to Isabelle in London would also have impelled him to make up his mind. In June 1881, therefore, he chose to give up his official appointment as Chief Presidency Magistrate. However, he retained his seat on the Bengal Legislative Council. By this time he had made his reputation and right from the start he wielded an unusually large and lucrative practice at the Bar.

His term of membership in the Bengal Legislative Council came to an end in 1883, and immediately afterwards Lord Ripon appointed him to the Imperial Legislative Council to represent the interests of the Indian Muslims. In the Council he pleaded the Muslim cause with ability, eloquence and foresight. He participated in all important debates and played a notable role in the Ilbert Bill controversy and in the passing of the Bengal Tenancy Act. In 1884 he was elected to the Tagore Professorship of Law at the University of Calcutta.

On the basis of his lectures at the University he published an exposition of Muhammadan Law and a students' handbook on

the same subject. About this time he also published, in joint authorship,[4] a work on the Law of Evidence in British India and a commentary on the most complicated Bengal Tenancy Law. These books were popular among lawyers and students and soon became standard works in their fields and ran into many editions. In 1889 came out his *Short History of the Saracens*. 'My object was,' he explained, 'to give an entire survey of the rise and fall of the Saracenic power in the three continents, yet within a compass which would enable students to study this absorbing subject.' It is a short but erudite treatment written in a pleasant style, and has maintained its name as a useful study up to the present day. During the First World War, it was especially reprinted for the use of officers serving in the newly-occupied Arab territories.

In 1890 Ameer Ali was appointed a judge of the Bengal High Court, being the second Muslim to reach such a position in India.[5] As a judge he exhibited a keen sense of justice, deep solicitude for the parties and a strict impartiality. He was singularly free from bias or prejudice. 'His knowledge of Muhammadan Law was profound and of a rare order. His presence in the High Court helped to solve some of the knotty points of Muhammadan Law that confronted his brother judges. Mr. Ameer Ali's judgments gave ample proof of his legal acumen, breadth of vision and close application. Even from a literary standpoint they occupy a high place. Chasteness of language, simplicity of style, lucidity and conciseness of expression, a rare command over the English idiom, characterise his judgments and the lay literary reader, too, will find them interesting reading.'[6]

His dissent in the full bench decision on the nature and character of a Muslim *wakf*, though not accepted by the Privy

4. His collaborator was John Woodroffe (later Sir John), who succeeded him on the Calcutta bench in 1904 and was later a Reader in Indian Law at Oxford.

5. The first was Justice Syed Mahmood. *The Times'* obituary notice on Ameer Ali (4 August, 1928) wrongly declares him to have been the first Muslim High Court judge.

6. *Indian Judges. Biographical and Critical Sketches* (G.A. Natesan, Madras, n.d. : 1932), pp. 224-25.

Council, was approved by Muslim jurists as the right decision from the point of view of Muslim jurisprudence, and it paved the way to Jinnah's Wakfs Validating Act of 1913.

As a judge he was very jealous of the powers of the High Court and, on several occasions, protested against the insidious attempts of the Imperial Legislative Council to curb the powers conferred on it by the law.[7] He was also responsible for weaning away Indian lawyers from the pedantic practice of citing foreign decisions in the course of their arguments. His decision in the case of *Imambandi* v. *Mutsaddi* had a particularly salutary effect in helping the courts to exclude the citation of foreign judgments from their purview.

In 1891 Ameer Ali's *The Spirit of Islam* was published in London. The title of the book was inspired by his wife to whom it was dedicated. Bearing the sub-title "A History of the Evolution and Ideals of Islam," it gave the history of the evolution of Islam as a world religion, of its spread and the hold it obtained over the conscience and minds of millions. In the Preface he explained his motive for writing the volume: 'It has been my endeavour in the survey of Islam to elucidate its true place in the history of religions. The review of its rationale and ideals, however feeble, may be of help to wanderers in quest of a constructive faith to steady the human mind after the strain of the recent cataclysm;[8] it is also hoped that to those who follow the Faith of Islam it may be of assistance in the understanding and exposition of the foundations of their convictions.'[9] The first quarter of the book contains a life of the Prophet. This work has since been enjoying a steady sale and is still in print.

Makes His Home in England: 1904

When Ameer Ali retired from the Calcutta bench in 1904 he decided to leave India and settle down in England. Many factors

7. In this connection two cases were outstanding: *Radha Krishna* v. *Gokula Nath* and *Sheikh Resant* v *Courtney*.

8. He is referring to the First World War.

9. I quote from the Preface to the amplified and revised edition of September 1922, the last edition to be prepared by Ameer Ali himself.

contributed to this decision. England was the home of liberty where a man of his liberal values could breathe freely and express his opinions without giving umbrage to state or society. It was also the land of his wife, and their two sons were at school there and it was natural for the parents to wish to spend a few years with the boys before they went out into the world. England also appealed to him as the centre of learning and culture where he could lead the existence of a gentleman of leisure devoted to the pursuit of knowledge and the finer things of life. Perhaps, the peculiar social disabilities under which English wives of Indian men then smarted in India also weighed in the matter of choosing his domicile. He had spent many happy and fruitful years in England where he had a large circle of friends who could provide him congenial company. In India he had reached the highest office then open to a 'native'. He had made a lot of money as a lawyer. Materially there was no prospect in India to keep him. Politically he had led the Central National Muhammadan Association for over a quarter of a century and had done for the Muslims what was possible in those days. Perhaps he thought that his race was run and that he was entitled to a few peaceful years far from the heat and the hurly-burly of India.

He was fifty-five when he moved to England and into retirement. In the East that is the age when people become useless for Government service and active life, when society regards them as drones who eat without earning, when feebleness seems to settle down on the wasting body when thoughts begin to turn to death and when hopes languish and die away. Was Ameer Ali thinking the thoughts of such men? We do not know. No man can divine the future, and how could he have known how much of the span of life still waited him? But we know that for him the real life-work was yet to come. Had he died in 1904 or thereabout, posterity would have remembered him as an able lawyer who had reached high judicial office, the founder of the first political organisation of Indian Muslims, and the author of two good books on Islam. These are not mean achievements, but, as it turned out to be, they were the promise of more—much more—to come. It was given to him to spend the next twenty-four years in fighting for the Muslim cause in India, for the integrity

of Turkey, for the dignity of the Khalifa and for the future of Islamic lands on this earth.

In England Ameer Ali and his wife chose to avoid the fast and noisy life of London and selected a charming house in Berkshire to live in. The "Lambdens"—that was the name of their new home—had once been the dower house of the lords of the manor of Ufton Court. Arabella Fermor, the Belinda of Pope's *Rape of the Lock*, had lived here after her marriage to Francis Perkin. The historic gabled house lay half way between Theale and Aldermaston nestling against a wooded hillside. The sloping lawns led from a rose-clad veranda to a small lake. To the north stood the Ufton hills and on either side lay the Beenham and Englefield parks. An avenue of lime trees led from the gate to the trellised veranda. Into this delightful home the Ameer Alis came with their books, their art treasures collected in India and Arabia, and their two handsome boys.

They spent the winter months in this idyllic retreat with occasional journeying up to London on business or for pleasure. In the late summer months they made an annual pilgrimage to that delectable part of mountainous Switzerland which lies between Austria and Italy. In this happy valley of glaciers, walking and climbing in air pure and fresh, Ameer Ali rejuvenated his old age and shed some of the tiredness and lassitude of years of work in hot climates. Here also gathered a motley elite from Europe, the Americas and the Middle East. Among his company were the ministers of Imperial Russia, Austrian diplomats, Italian marshals, scions of Hungarian nobility, professors of international law, German armament makers, American politicians, Egyptian pashas, Argentine millionaires, English milords and French statesmen. They came to rest their weary limbs, to clear their minds of cobwebs of tortuous political talk, to spend a few peaceful days before diplomacy and the threat of war drew them again into a vortex of uncertainty. By living amid these persons, meeting them at luncheons and dinners, talking to them on long walks, Ameer Ali could almost feel the political temperature of Europe as it went up and down and up again before its beautiful world crashed in a climax of disaster in 1914.

Life and Work in England: 1904-1911

For some time after his arrival in England Ameer Ali was being pressed by his friends in India to establish in London an organisation to further and publicise the policy and interests of the All India Muslim League, which had been founded in Dacca in December 1906. He was himself interested in this scheme and in May 1908, the London Muslim League (or rather the London branch of the All India Muslim League) was brought into existence.

The necessity of such an organisation was soon proved by the controversy arising out of the making of the Morley-Minto reforms. The Muslims wanted a separate electorate for themselves in all Indian elections. This wish had been communicated to the Viceroy in October 1906 by the Simla Deputation. Ameer Ali, though not present in Simla among the deputationists, was convinced that separate representation was, under the prevailing circumstances, ths only way of safeguarding and advancing Muslim interests. Now he found that John Morley, the Secretary of State for India, was reluctant to concede what Lord Minto had promised in 1906. In a letter to *The Times* he (Ameer Ali) pointed out what Morley's proposal for a mixed electoral college, if carried into effect, would mean to the Muslims. The day after his letter appeared he was sitting in the Reform Club when a friend of influential position (whom he does not name) talked to him about the problem of a Muslim electorate and persuaded him to see Morley. Ameer Ali agreed to do so provided that his visit was welcome to the Secretary of State.[10] Two days later he received a letter from India Office saying that Morley would be glad to see him. For the interview he took with him a sheaf of telegrams and a number of letters that he had received from India representing the Muslim side of the question. Morley promised to read them carefully. The interview lasted for ninety minutes, and the electorate problem was examined from every angle. Ameer Ali has left no account of this conversation except one remark made by Morley and his own answer to it.

10. He made this condition because 'I had been informed by an Indian friend who haunted the "coulisses" of the Secretary of State's Council, that he had been told by one of them that the India Office had lost its confidence in me.'

Morley said, 'I am glad your people are not opposed to the Reforms in principle; I was told you were going to move Lansdowne to throw out the Bill.' To this Ameer Ali replied, 'My people wish to participate on equal terms in the constitutional changes; if their right to equal participation is accepted, they will not oppose them.'

On 27 January, 1909, Ameer Ali took a Muslim League deputation to the Secretary of State. A written memorial was read out and put before Morley. Ameer Ali supplemented this with some remarks. Then Morley gave a prepared answer, and the interview was over. Morley refused to change his attitude and did not promise anything which could have satisfied the Muslims. Ameer Ali continued his campaign againts Morley's proposal for a a mixed electoral college. Much influence was privately brought to bear upon him. The new Viceroy, Lord Hardinge (who had just succeeded Minto), sent over a Muslim member of his Council[11] to persuade Ameer Ali to withdraw his opposition. But he remained firm and finally the British Government gave way.

But Morley did not forget Ameer Ali's opposition to his pet scheme, and there are strong grounds for suspicion that Ameer Ali's omission from the India Council was a result of Morley's disfavour. When, under the new constitutional dispensation, two Indians, one Muslim and one Hindu, were to be appointed for the first time to the Secretary of State's Council, it was almost universally assumed that Ameer Ali would get the position. No Indian Muslim was better fitted to represent his country and to advise the Home Government. With his legal, judicial, political and public experience, with his close contacts with Muslim India, with his deep understanding of Islam, with his reputation as a man of moderation, with his belief in the liberal values of life and politics, with his

11. Ameer Ali does not give his name, but he must have been Ali Imam who, in 1910, had succeeded Sinha as Law Member of the Viceroy's Executive Council. He was then the only Muslim leader of any importance to commend Morley's scheme, and his appointment as the first Muslim to sit in the Council was disapproved by the Muslims of India who regarded it as a clumsy attempt by the Secretary of State to reward him for his loyalty. Lord Hardinge could hardly have chosen a more inapt person to persuade Ameer Ali.

passion for reform, with his wide acquaintance of Indian conditions, and with his familiarity with English social and political climate of opinion, only a bigoted Secretary of State could pass over him and appoint an almost unknown man from Hyderabad[12] to his Council. This caused acute disappointment among the Muslims and the news spread round that Morley, with all his liberalism and his philosophy of compromise, was a vindictive politician who took the most legitimate criticism to heart.

Fortunately, however, there were honours of greater dignity which awaited Ameer Ali and which were not in Morley's giving. One of these was membership of the Judicial Committee of the Privy Council. On 22 November, 1909, he was sworn a Privy Councillor, the first Indian to be raised to this rank. *The Times* appropriately commented on the appointment, 'In recent years the stream of honours has flowed disproportionately little in the direction of the Indian Muslims, and they will receive with profound gratification the news of the distinction bestowed upon so influential a leader of the community and so gifted an interpreter to the Western world of their history, traditions, and sentiments as Mr. Ameer Ali.'[13]

Sir Almeric Fitzroy, who in 1909 was Clerk of the Privy Council, gives some interesting details of Ameer Ali's entry into the Council. At the time of the swearing Ameer Ali took the oath on a copy of the Quran, and 'displayed a deportment which was all that could be desired.' Haldane had been sent to the King to obtain his consent to Ameer Ali's appointment to the Council, and it seems the King was a little reluctant as Haldane 'had to use some tact in overcoming His Majesty's scruples.'[14]

For the first three years he gave his services to the Judicial Committee entirely without any stipend. It was only in 1912, on Sir Arthur Wilson's retirement, that he began to receive the very inadequate sum of £400 a year assigned in 1833 as 'expenses'

12. Syed Husain Bilgrami, Nawab Imad-ul-Mulk Bahadur. He had drafted the Simla Deputation address.

13. *The Times*, obituary notice, 4 August, 1928.

14. Almeric Fitzroy, *Memoirs* (Hutchinson, London, n.d.), Vol. I, pp. 386-7; entries for 18 and 22 November, 1909.

paid to ex-members of the High Courts in India promoted to membership of the Judicial Committee. He continued to serve on the Committee till his death in 1928. His judgments earned high praise for their soundness as well as style. 'They were obviously prepared with great care and, while exhaustive of the subject matter under appeal, they cautiously avoided all loose *obiter dicta* and the discussion of abstract principles that might encourage the parties and others of their race to further litigation. Their literary style, too, deserves notice, and might well have served as a model to some of his English colleagues, while his intimate knowledge of Indian history and custom often illuminated them with an interest unusual in judgements delivered in Indian appeals.'[15]

For many years Ameer Ali had felt the absence of a mosque in the capital of the British Empire. In November 1910, therefore, he launched a project to rectify this omission. He formed a body to prosecute the plan, and its Executive Committee applied officially for the patronage of the King but it was refused because 'we were informed that the Secretary of State for India, Lord Morley, had advised adversely.' The plan, however, prospered and the Sultan of Turkey (Muhammad V) and the ex-Shah of Persia became patrons and paid £1.000 each to the mosque fund. The Nizam of Hyderabad also made donations and much interest was aroused in Persia where some money was collected and sent to London. But, unfortunately, only a small proportion of the large sum required was subscribed, and the fund was deposited in the Bank of England under the joint trusteeship of the Aga Khan, Lord Ampthill, Lord Lamington and Ameer Ali himself. It was not given to Ameer Ali to see the mosque which was later erected with this money.

Life and Work in England: 1911-1928

Ameer Ali's interest in Turkey dated from 1877 when he had begun to read the *Dar-ul-Khilafat*, a journal published in Arabic from Constantinople. Since then he had closely followed internal and external developments of Turkey and, though of the *shia*

15. *The Times'* obituary notice, 4 August, 1928.

communion, had looked to the Khilafat as a valuable institution working in the interest of the Muslim world.

In 1908, when the Turkish Committee of Union and Progress deposed Sultan Abdul Hamid, it sent a parliamentary deputation to London with a view to negotiating an 'offensive and defensive alliance' between England and Turkey. Ahmad Riza Bey, one of the leading lights of the Turkish movement for progress and a member of the deputation, met Ameer Ali at a dinner and 'waxed very eloquent over what Turkey would be able to do for her internal development with the possible help of England.' The Turks were received with great ceremony and were entertained to a luncheon by the Foreign Office where the Prime Minister was present in person. But at that time England was too deeply pledged to Russia to promise anything to Turkey, and the negotiations were ineffectual.

About this time the Greek ambassador in England, Dr. Gennadius, came to Ameer Ali several times 'to ask me to use my good offices as a friend to forward a *rapprochement* between his country and the Ottoman Empire.' The Greek proposal was for an offensive and defensive alliance between Turkey and Greece. Ameer Ali was 'strongly in sympathy' with this proposal, but the Turkish ambassador, who 'allowed himself to be swayed by the counsels of two men, one of whom could hardly be described as a statesman,' was not prepared to talk, and informed Ameer Ali that Turkey had just concluded an agreement with one Balkan State and was 'prepared to fight Greece with one hand tied behind their backs' (these were the Turkish ambassador's words). Turkey laid down the condition that Greece should agree to the rendition of Thessaly before such an alliance could be acceptable to her. With this the Greeks could not comply and the matter was dropped.

Later Ameer Ali met the Russian ambassador in London, Count Benckendorff, at the latter's request, and had a long talk on the Eastern Question. 'He told me in substance that the Balkan States proposed to form a confederation designed against Austrian ambitions; "would Turkey be inclined to join as *primus interpares*?". (I understood that Russia encouraged the plan). I replied that I

could not answer his question without ascertaining the views of Tewfik Pasha, the Turkish Ambassador. Count Benckendorff agreed with me that I should do so, and I accordingly made an appointment with the Turkish Ambassador and told him of my conversation with the Count. He expressed gratitude for the courtesy and consideration shown by the Russian Ambassador, and added "before writing to my Government on the subject I should like to be clear on one point, if Turkey is attacked by Austria, would Russia or the Balkan Confederation come to her assistance?" I submitted the question to Count Benckendorff and so far as I remember the answer was an emphatic *non-possumus*.'

When Turkey was invaded by Italy in Tripoli, Ameer Ali was much agitated and, in addition to pleading her cause with pen and tongue, founded the British Red Crescent Society to give relief to the sick and wounded and to help the starving populace of the despoiled Turkish provinces. The Society continued its good work throughout the Balkan Wars and after. On the declaration of the First World War the Society came to the help of the British forces operating in Flanders. When the Indian contingent arrived in the north of France, the Society's help was requested by many officers, but as this form of activity was not included in the objects of the Society, Ameer Ali inaugurated a separate fund under the name of The Indian Troops Comforts Account. By this fund the Indian soldiers were provided special amenities, in addition to their regular food and clothing, like waterproof turban covers, trench boots and better kind of edibles. Parcels of food and other articles were sent to the Indian and Algerian prisoners of war in German hands. The organisation also communicated on behalf of the soldiers with their families during their detention. When reports came of certain hardships imposed on captured Indian officers, Ameer Ali and his assistants did something to mitigate their lot with the help of neutral embassies.[16]

In the following pages we will see how much Ameer Ali exerted

16. Ameer Ali's sons have inherited his concern for Indian soldiers, and during the Second World War Mr. Waris Ameer Ali was equally active in looking after Indian soldiers, sailors and airmen in England.

himself on behalf of the Turks and the Khilafat at the end of the World War. His efforts bore fruit and the British Government was dissuaded from implementing their anti-Turk policy. But when the Turks themselves were on the point of abolishing the Khilafat, Ameer Ali and the Aga Khan 'felt it our duty jointly to appeal to Angora for the maintenance of the Caliphate with its age-long traditions, and the world of Islam was at one with our sentiments.' However, the letter which the two leaders sent to the Turkish Prime Minister created a sensation in Turkish official circles. During the trial of the editors of the three Turkish newspapers which had published the letter, the Angora public prosecutor, in his address to the tribunal, called Ameer Ali and the Aga Khan 'the real criminals.'

Turkish discourtesy shocked Ameer Ali and, in December 1923, when Shevky Paska visited him to ask him 'to overlook the conduct of the "new Turks" towards me, I replied that unless a public apology was offered for the violence of their expressions, I would no longer be concerned with them, and I have maintained this attitude.' The new Turkish Republic did not care to mend its relations with Ameer Ali and the schism was, therefore, never healed. His last words on Turkey, on whose behalf he had spoken so eloquently, acted so fearlessly, felt so deeply, risked so much, and for which he had been ultimately abused, were, 'Turkey possessed the sympathy and support of the Islamic world so long as she maintained the Caliphate, but alienated it the moment the Caliph and his family were ejected from her territory without provision and with the confiscation of all their property, to subsist on the charity of the Muslims, and some Christians, in a Christian country.'[17]

We must now retrace our steps to take notice of some other developments of this period of his life. In spite of Ameer Ali's intimate and highly successful association with the London Muslim League a time came when he had to withdraw from it in unfortunate circumstances. Since the repeal of the partition of Bengal (December 1911) and the outbreak of the Turco-Italian

17. The last Khalifa was given refuge in Switzerland and granted a pension by the Nizam of Hyderabad.

War Indian Muslims were becoming less 'loyal' and more outspoken in their criticism of British policy towards India and Turkey. The climate of public opinion was changing so fast that the extremist among the Muslim leadership was able to capture the All India Muslim League. This opened a gulf between the new generation of radicals and the old one of moderates. The Aga Khan and Ameer Ali were too 'loyal,' too circumspect, to meet the approval of some of the new leaders. Towards the end of 1913, at a time when the agitation about the Cawnpore mosque was at its highest, Maulana Muhammad Ali and Sayyid Wazir Hasan (honorary secretary of the All India Muslim League) visited London. Their suggestion that Ameer Ali and the Aga Khan should, on behalf of the London Muslim League give a public dinner in their honour at which they (the Indian visitors) could explain Indian Muslim opinion on the mosque affair and other matters was one to which Ameer Ali demurred. The two leaders thereupon went to Paris to talk things over with the Aga Khan. On their return from the French capital Sayyid Wazir Hasan wrote a letter to Ameer Ali, on 25 October, 1913, claiming that the Aga Khan favoured their dinner plan, and threatening that if the London Muslim League did not provide this opportunity to him and Muhammad Ali of expressing their views he would do so all the same from the English public platforms and in the English press, and would, on his return to India, consider it his duty to tell the All India Muslim League that 'it is no use trusting anybody here to do us justice, and, in fact, I do not see how I can get out of a clear explanation to the members of the League that the president of their own London branch is unwilling to assist the community, even when he has to risk nothing and sacrifice nothing.' He also told Ameer Ali in clear terms that funds for the London Muslim League would be made available in proportion to the support it gave to the works and projects of the All India Muslim League. The letter contained an insinuation that weak Muslim League leaders were selling 'our community'. Ameer Ali naturally resented receiving such a letter. He believed that he had been insulted by Wazir Hasan and his innuendoes and sent in his resignation from the presidentship of the London

Muslim League.[18]

It could not have been easy for Ameer Ali to depart from the League. It was, in every sense, his child. He had taken the initiative in establishing it, he had run it almost singlehanded, he had collected funds for it, and he had effectively and successfully publicised the Muslim League point of view in England. The five years since its inception were till then the stormiest in the political life of Muslim India. In India the Muslims had taken a deputation to the Viceroy, then founded the All India Muslim League, and then almost relaxed in the careless and unwarranted optimism that all will end well for them. The hard labour of fighting out the electorate issue with an indifferent British Government and a hostile Secretary of State was left to the London Muslim League. Had it not been for Ameer Ali and the Aga Khan it is open to doubt if the reforms of 1909 would have conceded separate representation in the shape desired by the Muslims. Was it fair to return Ameer Ali's toil and effort with dismissal? What had happened may have been, in a technical sense, correct from the point of view of the All India Muslim League: one of its branches had refused to agree to its policy and had been punished for doing so. But the issue was larger than a mere matter of form. Even if the Muslim League had the strength to dispense with Ameer Ali's services, it certainly did not have the sense to realise the importance of continuing the London branch. After 1913 we do not hear of a London Muslim League. Never again was Muslim India to have either a platform or an envoy in London. Ameer Ali and the Aga Khan did not stop exerting themselves for the Indian Muslims nor were their efforts in later years fruitless, but they and particularly Ameer Ali,

18. This account of the incident and quotations from Wazir Hasan's letter are taken from *The Times* of relevant dates. In his "Memoirs" Ameer Ali confines himself to one short reference to this episode: 'A Central Muslim League was later started in Lucknow when the Committee in London thought it advisable to style the London organisation a branch of the Lucknow League. In 1913, however, extreme elements among the Muslims, excited at the somewhat cynical attitude of certain British Ministers towards the Tripolitan and Balkan Wars, captured the organisation of the Lucknow League and compelled us to break our connection with it.'

were no longer Muslim League agents. An excellent propaganda machine in London was thrown away by the Muslim League, and surprisingly the Indian leaders did not feel the loss. One wonders if the increasing Hindu influence on the Muslim League of those days had a hand in this. Whatever the reasons—personal pique, divergence of policy, external pressure, sheer shortsightedness—there is no doubt that the decision of the parent body, and especially of its secretary, to bring matters to a final clash was impolitic and had serious consequences in the years to come when important political and constitutional questions were decided in London without the Muslim League being able to wield any pressure.[19]

When the time came for the next instalment of constitutional reforms Ameer Ali, though no longer at the head of the London Muslim League, tried to inform Edwin Montagu, the Secretary of State for India, and others in authority of Muslim aims and wishes. But he did not have a high opinion of Montagu. 'He was an enthusiastic and clever man, with a thorough belief in his own genius and capacity to make India a country with democratic institutions that would be a marvel of history. He was an idealist and was surrounded by men of the same tendencies. He knew nothing of India and drew his impressions from people who helped to rivet his determination to democratise India without waiting for the evolution of the spirit of democracy in a country which has for ages been ruled by caste.' Ameer Ali could not help feeling that, in view of the current conditions and the sharp differences between Hindus and Muslims, the British Government should have proceeded with great caution in the concession of self-government. He believed that the introduction of the Montagu-Chelmsford reforms sharpened communal differences and that this could have been avoided 'had the people been allowed to develop spontaneously.'

Ameer Ali submitted a memorandum to Montagu when the latter was leaving for India on his fact-finding visit. It pointed

19. It is a pity that the London Muslim League still awaits its historian. It had a short but lively existence and put out several publications including its annual reports. There is enough material on which to base a meaningful account.

out 'the necessity of bearing clearly in mind the importance of the agricultural population in the social economy of India, and of not allowing them to be pauperised by moneylenders. I also laid stress on the absolute need of maintaining a just balance between the two great communities and of proceeding by slow degrees. The development of the vast and multifarious population was not uniform; and what could be applied with advantage to one province was not suitable to other parts of the country. I urged him to deal with the problem by provinces; for example, to treat as more fitted for constitutional advance provinces where the people as a whole had learnt the lessons of compromise and toleration.'[20] He repeated this advice a little later in a speech at a luncheon given by the Indian community in England to the Maharaja of Patiala and Mr. (later Lord) Sinha, emphasizing the need for so adjusting the machinery of reform that any mistake could easily be corrected, and dwelling on the importance of 'going slow' and proceeding province by province.

One of the objections he raised against the Montagu-Chelmsford reforms was that they failed to perceive and correct the tendency of the Brahmans to utilise modern political institutions to regain their domination over all other races of India. Another criticism was that Montagu, under the influence of certain Hindu politicians, was persuaded to regard India as a country inhabited by a homogeneous people and to provide for it a constitution which took no notice of her vast diversities. One consequence of this was that 'in the anxiety to placate the majority, more pressure is brought to bear on minorities than was the case in previous years.'

It is a measure of Ameer Ali's deep interest in Indian affairs that when the Indian Statutory Commission was appointed he hastened to send it a memorandum though he was then an old man and very close to death. This was to be his last political statement. Writing on 8 June, 1928 (he died on 3 August of that year) from his home at 2 Cadogan Place, he traced the development of Muslim India since the beginning of British rule and

20 All traces of this memorandum seem to be lost. It is neither among the Ameer Ali Papers nor in his sons' libraries. I have taken this summary from Ameer Ali's "Memoirs,"

insisted on the retention of separate representation for Muslims as well as an adequate share for them in the public services. India, he said, was not a homogeneous land and the Hindus were looking forward to dominating the non-Hindu peoples through the concessions the British proposed to make.[21]

Death and Funeral: August 1928

Ameer Ali had been suffering from diabetes for some years and had been on insulin since 1923. On 3 August, 1928, while living in his beautiful home, Pollinfold Manor, he had a heart attack from which he did not recover. He died the same day. He was up and active till his last moments. On the day of his death he had gone out to post a letter which meant a walk of two-thirds of a mile. His last letter to *The Times*, on the preservation of animal life in India, was published by the journal on 4 August along with the news of his death.

He left behind his widow and two sons. The elder son, Sayyid Waris Ameer Ali, was born on 12 October, 1886, and educated at Wellington College and at Balliol College, Oxford. He served in the judicial wing of the Indian Civil Service till 1929 when he chose to retire. The younger son, Sir Torick Ameer Ali, born on 8 June, 1891, was educated at Marlborough College and at Christ Church, Oxford. Like his father he was called to the Bar at Inner Temple and followed the legal profession. He was a judge of the Calcutta High Court from 1931 to 1944, and Adviser to the Secretary of State for India from 1944 to 1947. Both sons have settled in England and have English wives.

Ameer Ali did not die a rich man. He left property in England of the gross value of only a little over £4,000. He bequeathed a selection of his books to the library of the Royal Asiatic Society.[22]

21. Fortunately, I have been able to find a copy of this memorandum in the Ameer Ali Papers. He was not in favour of a boycott of the Simon Commission and, in a cable to Sir Muhammad Shafi, said, 'Boycott policy is, in my opinion, prejudicial to India, and especially to minority interests'; *The Times*, 17 December 1927.

22. His unsettled property was valued at £4,535, with net personality of £4,370; *The Times*, 21 November, 1928.

He had received the C.I.E. in 1887, and was an honorary LL.D. of the University of Cambridge.

The funeral took place on 7 August at the Brookwood Cemetry, and among those who attended[23] were representatives of the Lord President of the Council and the Secretary of State for India, Sir Louis Dane (representing the East India Association), Sir Theodore Morrison, Sir Stewart Lockhart (representing the Royal Asiatic Society), Sir Norman McLeod, Lord Headley, Sir Thomas Arnold, Allama Abdullah Yusuf Ali, Sir Maneckji Dadabhoy, Sir Abbas Ali Beg and Sir Muhammad Shafi.

In the quiet and peaceful garden at Brookwood, amid the flowers and the trees and the deep green grass of an English summer, his friends committed his mortal body to the earth. Around the grave stood men of many races and many creeds united in their love of this old man in whose own veins, not so long ago, mingled the bloods of Arabia, Persia and India. They had enjoyed his company, his talk, his hospitality and the benefit of his wise counsel. They had seen him argue, discuss, plead and fight many causes. Some knew him well, some not so well. But all felt that a great man had that day departed the world.

Among the many floral wreaths that covered his fresh grave was one from two English soldiers, Major Griffin and Captain Dixon Johnson, whose red carnations half-hid a card on which were written these words: 'By the efforts of this man, the hungry were fed, the naked were clothed, the sick healed, and the wounded restored to health. The footsore refugee was helped on his way and many a mother clasps to her breast a living child that otherwise would have perished by the wayside. The despairing peasant, faced by the ruin of War, was again provided with implements to till the soil and seed corn was placed in his hands.'

Let this stand as Ameer Ali's epitaph.

23. For more details see *The Times*, 8 August, 1928.

Chapter 2

INDIA'S NEEDS AND ASPIRATIONS

From about 1880 till the coming of the Morley-Minto reforms Ameer Ali's writings underlined the legislative, administrative, judicial and economic needs of India. His primary interest lay in the welfare of India under British rule. Was this rule beneficial for India? What were India's needs? What did the Indians want? Were the British rulers in sympathy with India's legitimate aspirations? What was good for India, and how could it be achieved?

He answered some of these questions in the first article he wrote for the *Nineteenth Century* in 1880.[1] On the accession of a Liberal ministry in England he set out to make a detailed study of British political and administrative policy and decisions in India. He realised that the previous ministry had made many mistakes in the direction of affairs leading to an absence of sympathy between the rulers and the ruled. He hoped that the coming of a fresh regime on the scene would inaugurate a more liberal policy and outlook which would regard Indian expectations of change as neither illegitimate nor irrational. After this preamble he set out a critique of British policy in India side by side with his own suggestions for improvement. It is worth our while to examine these and subsequent suggestions under three heads: political (including legislative and administrative), judicial and economic.

Political

The legislation of the country demanded serious notice. It was

1. Ameer Ali, "Some Indian Suggestions for India", *Nineteenth Century*, June 1880.

a pity that no Indian was included in the Law Commission which had recently been appointed. As the Commission's task referred entirely to the wants and requirements of India it was imperative that an able Indian judge should have got a place on its panel.[2]

He also regretted that the Indian Legislative Council contained so little Indian element. The Maharajas, Rajas and Nawabs who dominated the Indian side of the Viceroy's Council might have been 'very estimable men in themselves', but, with one or two exceptions, none of them knew the English language well enough to follow the debates. It was difficult to see what service such men could render to the Council in its task of law-making. The fact was that while the provincial councils included some of the most talented Indians, the Supreme Council was guided in its selection of members more by their rank and wealth than by their fitness. Why was it so? The culprit was the principle of nomination. As long as this principle was not changed, and as long as people had no voice in the selection of their representatives, it was desirable that the number of Indian members should not be less than four and that their suitability should be judged by their ability and usefulness and not by their titles.[3]

Similarly, many defects in the Indian administrative mechanism required examination and removal. The most glaring of these was the question of equality between the Indians and the British in the public services. The Act of 1870 had been passed to bring about this equality, but the rules which the Government of India had made under the law had not only stultified the objects of the change but completely negatived the theory upon which the decision had been based. The existing offensive distinction in the matter of pay between Europeans and Indians (besides other disqualifications) would prevent qualified Indians from entering the service. The country could ill afford to lose the knowledge and capacity of educated Indians, especially in the administrative and judicial departments. If efficiency was in view, the principle of equality of pay and status should be carried into

2. Ibid. In fact, he specifically mentioned the name of Justice Romesh Chunder Mitter for this appointment.

3. Ibid.

effect without any consideration of class interests. If economy was in view, the pay of all higher officials should be cut down irrespective of their nationality. In India, as in other countries, the emolument of an office became the standard of its importance in popular eyes. If the pay of all high officers was reduced without any distinction of race, colour or creed no one would draw invidious comparisons between European and Indian employees.3

It could be argued, in refutation of this suggestion, that Indians living in India did not require as large salaries as Englishmen coming out to India did. But, said Ameer Ali, this assumption involved two fallacies. 'Is it necessary to import foreign labour to India at a greater cost to do the same work which an Indian would do equally well?' The foreigner who chose to come to India 'must accept the wages of indigenous labour'. This was a principle of political economy which governed the employment of all labour where there was no monopoly. There was no reason for depriving India, because she had no voice in the government of the country, of the application of this rule. In the second place, did Englishmen really require larger salaries? The style of living of the 'native men of culture', who were growing up in India under Western influence and who were best qualified for high office, was only slightly inferior to that of Europeans. They had common wants: a comfortable house, servants, good education for their children, savings for old age. In fact, the Indian spent more on meeting the claims of his dependants, who were numerous and persistent, than a European would ever be called upon to devote to his small family. Thus the theory put forward in justification of a distinction in the pay of Indian and European officials (under the new rules of the Act of 1870) was proved to be false.[4]

There was, moreover, little truth in the view that Indian public servants were less efficient than their European colleagues. 'In personal integrity, in simple-minded discharge of public duties, and the grasp of administrative details, they are not inferior in the smallest degree to any foreigner.' If some of them were sycophants, it was because the system under which they worked encouraged this reprehensible habit among all employees—Indians

4. Ibid.

and foreigners. On the other hand, while the Indian official was 'singularly free' from all prejudices, his European counterpart always laboured under certain disadvantages: ignorance of the habits, customs and usages of the people whom he ruled and imperfect knowledge of the vernacular languages. In the judicial department many miscarriages of justice were caused by want of knowledge of the language of the people and their modes of life and thought. The judicial capacity of the Indians was universally admitted.[5]

The next question to be considered was whether the number of British officials in India was or was not more than actually needed. In some districts, not far from the Presidency towns, there was frequently 'such a plethora of official talent that the divisional head has a little difficulty in providing work for all his subordinates'. No care had been taken to ascertain the precise requirements of the country. The existing number could not now be reduced, but in future some limit would have to be imposed on indiscriminate drafting.[6]

The need for the Vernacular Press Act and the Arms Act was not clear to most people. The Arms Act proceeded on the general assumption of the disloyalty of Indians. The 'spirit of the Act implies a national censure'. It was a source of discrimination and produced discontent. He hoped that both these Acts would soon be repealed.[7]

Ameer Ali was in favour of a wider application to India of the principle of local-self-government. The management of local affairs by the people had a long history in India where it had

5. Ibid Cf. also: 'As regards the unfitness of Indians generally for certain offices, it is one of those convenient theories by which vested interests try to protect themselves from outside invasion'; Ameer Ali, "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905. And again: 'The Indians of undoubted merit and ability, of integrity and character, should not be debarred from any office under the State. No place under the Government should be regarded as the peculiar monopoly of any race. No distinction should be made in the matter of State patronage on racial grounds'; ibid.

6. Ameer Ali, "Some Indian Suggestions for India", *Nineteenth Century*, June 1880

7. Ibid.

played a role of much greater importance under the Muslim rulers than the English writers were prepared to concede. Had the problem been tackled with sympathy, tact and at the same time firmness, the system would not have been a failure. Its success would have made the respectable sections of the population 'understand the responsibilities of trust, imparted self-reliance, and trained them to a larger perception of duty as citizens of a great Empire'.

It was sometimes asserted, in objection against any extension of local government, that Indians were unfit to hold certain offices and, further, that in certain positions they would not receive the same obedience or deference as Englishmen did. This, he said, was partly a survival of the old idea which led the East India Company, at the commencement of its rule, to exclude Indians from all share in the government of the country. Since then fresh ideas had been tested and found serviceable and new developments had taken place. The fitness of Indians for the highest judicial appointments was acknowledged. The facts of history disproved the 'selfish' theory that members of the virile races of India were unable to command obedience or exact deference. He reminded his English readers that 'in every country the amount of respect shown to an officer depends upon the consideration in which he is held by his superiors, for the people take him at Government evaluation'.[8]

Another widespread grievance to which Ameer Ali drew attention was the exclusion from the Indian Army of the sons of the Indian gentry. He welcomed the formation of the Imperial Cadet Corps as a 'wise piece of statesmanship', for it supplied the scions of princely families with the means of learning the value of discipline along with indulging a natural taste for pomp and pageantry. But the aristocracy was not all India. The professions of law and medicine were becoming increasingly crowded. Trade and business were uncongenial pursuits for the classes which possessed no commercial aptitude. In earlier days much of the 'energy and activity' of the 'higher classes' found occupation and

8. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906.

employment in a military career. British policy, which debarred the sons of gentlemen from the army as a profession (except in the ranks), was 'slowly emasculating the virile races of India'; instead of utilising their military propensity and making it a source of strength, it was driving them into unworthy, unhealthy and at times dangerous channels. 'If after one hundred and fifty years' dominance the British Government cannot open the Army as a profession to properly selected members of good families, it implies a stupendous confession of weakness.'[9]

Judicial

As a trained lawyer it was natural for Ameer Ali to attach great importance to the working of justice in India. In 1880 he pointed out that in no country of the world was justice taxed so heavily as in British India. Suitors were subjected to the payment of a heavy *ad-valorem* stamp duty on plaints, grounds of appeal, etc. In numerous cases the Stamp Act prevented the poorer classes from seeking legal redress; at the same time it served as 'a great engine of oppression' in the hands of the rich. Judicial officers and the common people had for long been protesting against its excesses but had not been heeded. He warned the British Government that the Act was detracting much from the popularity of the rulers in India.[10]

Twenty-five years later he returned to the charge. Exorbitant court fees enabled the rich litigants to harass their less-favoured opponents with comparative immunity. He revealed that the stamp duties levied on civil litigation enabled the Government not only to meet the entire cost of judicial administration but in addition to make an annual profit of sixty-two lakhs of rupees. If any reason of State stood in the way of abolishing this tax, a portion of the surplus income should be utilised for the purpose of improving the judicial branches of the public services. The administration of justice was, he said, the strongest feature of British rule and formed, in many respects, its greatest claim to

9. Ibid.

10. Ameer Ali, "Some Indian Suggestions for India". *Nineteenth Century*, une 1880.

the loyalty of the general population. Therefore, no means should be neglected to enhance its efficiency. Another step towards efficiency was the recruitment of judges from among barristers of standing and experience instead of exclusively from members of the Civil Service.[11]

It seemed to him that the Government, instead of maintaining intact the prestige of the judiciary, was encouraging a tendency in the contrary direction. He enumerated some such trends: the pre-eminence of the district judge had gradually dwindled to a stage where he was completely obscured by the executive officers; in the *mofussil* the subordinate judicial officials scarcely received anything like the consideration extended to their executive colleagues; in the superior courts the salary of the judges had been reduced and their position in the official precedence lowered. The Government had attempted to curtail the jurisdiction of the High Court of Judicature in Bengal, and such intentions had been frustrated only by the force of public opinion.[12] He warned that any 'tampering with the powers of the superior courts' would entail 'mischievous consequences'.[13]

One of the anomalies he saw in the British administration in India was the combination, even in advanced areas, in one and the same person of 'two distinctly contradictory jurisdictions—the Executive and Judicial'. He admitted the advantage of this arrangement in some tracts, but in provinces like Bengal, Madras, Bombay, the United Provinces and parts of the Punjab, the system 'is not only out of harmony with the spirit of the times, but mischievous and irritating, unfair to the officers themselves, and occasioning great hardships to suitors'. There were two aspects of the situation as he saw it. One, it was doubtful in principle whether it was right to give to the magistrate, who was charged with the preservation of peace and security in a particular locality, the power of deciding criminal cases, or to

11. Ameer Ali, "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905.

12. It will be remembered that he wrote from his own experience on the Calcutta bench.

13. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906.

the revenue collector the determination of revenue disputes between the subject and the Government. Secondly, it was worth considering whether the system did or did not interfere with the efficient discharge of either function. After citing instances of the hardship of the system from his own experience, he asked: 'would it not be in the public interest to do away entirely with the judicial powers of the Divisional Commissioners and the Boards of Revenue in questions arising under the revenue laws, and leave these to the decision of the ordinary courts of justice?'[14]

So far we have been looking at some of the weaknesses in the judicial administration of India which Ameer Ali noticed and offered as defects to be removed. In addition, there were some failings which touched the Muslims in particular.

English and Hindu judges had inadequate acquaintance with the principles of Muhammadan Law, thus causing 'frequent miscarriage of justice'. This created a certain feeling of dissatisfaction and distrust among all classes of the Musalman population of India. Since the abolition of the offices of *Muftis* and *Kazi-ul-Kuzzat*[15] Muhammadan Law had practically ceased to be administered. The major proportion of Muslim Law regulating the domestic relations was not recognised by the Indian courts of justice.[16] For instance, the courts declined to exercise matrimonial jurisdiction over Muslims. A Muslim wife was entitled under Muslim Law to a judicial divorce from her husband for desertion and ill treatment. Under the British Government there was no court to give her the redress the Muslim Law provided her. The criminal court might have ordered her a separate maintenance on the ground of ill treatment, but it could not dissolve the marriage tie. One of the corrective steps he suggested was the appointment, in the *mofussil*, of a number of Muslim judges 'to sit as

14. Ibid. The importance and intractability of this problem are attested by the fact that Pakistan has yet to solve it satisfactorily.

15. They were officers especially authorised to interpret and expound Muslim Law to European judges.

16. *Memorial of the National Muhammadan Association, Calcutta, to His Excellency the Most Hon'ble the Marquess of Ripon, K.G., P.C., G.M.S.I., Viceroy and Governor General of India* (Calcutta, February (1882), para. 19. This document is hereafter cited as *Memorial of the National Muhammadan Association.*

assessor judges in the trial of Muslim cases', and, in the high courts of Calcutta, Madras and Bombay and in the Chief Court of the Punjab, of a Muslims judge to assist the European and Hindu judges in administering the Muslim Law. Another suggestion he made was the granting of subventions for the translation of the standard Muslim legal works into English; in this field the example of the French Government in Algeria was cited as worthy of emulation. Still another was the introduction of a compulsory system of registration of Muslim marriages and divorces (the like of which existed in all Muslim countries). For this an optional law should be made under which officers styled as *Kazis* would be vested with certain judicial functions.[17]

Another Muslim grievance to the eradication of which Ameer Ali gave his support was the absence of any Muslim judge on the benches of the superior tribunals. While Hindus had obtained seats in the high courts of the three presidencies Muslims had been kept out.[18]

So deep was his concern for the administration of Muslim Law in India that he criticised the memorialists of the Simla Deputation for omitting any reference to the matter. The Address presented to the Viceroy and Governor General in October 1906 by a large and highly representative group did not contain even an allusion to the defective administration of Muslim Law in British Indian courts of justice It made a plea for the appointment of Muslim judges to high courts, but Ameer Ali believed that it was insufficient. No satisfactory improvement could be effective unless there was 'a large increase in the number of Muhammadans in the ranks of the subordinate judiciary'.[19]

Economic

Ameer Ali was not a professional economist (though political economy had been one of his subjects for post-graduate study), but

17. Ameer Ali, "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882.

18. *Memorial of the National Muhammadan Association*, para. 26.

19. Ameer Ali, "Dawn of a New Policy in India", *Nineteenth Century and After*, November 1906.

as a thoughtful and well-informed student of Indian affairs the economic problems and needs of the country could not escape his notice. Some of his earliest writings show his anxious concern for the financial rehabilitation of India. In 1880 he referred to the partial repeal of the duty on imported cotton goods as 'one of those mistakes which leave their mark on the mind of the people for long periods of time'. It had, not without reason, given rise to an impression that the interests of the people were sacrificed in deference to the wishes of a portion of the British community. Having thus lost a part of the revenue the Government had then resorted to other measures to recoup the loss. One of these was the Licence Tax, 'but a more mischievous measure, or one more calculated to bring the Government into disrepute with the mass of the population, could not have been devised'. It was a severe hardship for the general body of the people. The collectors and assessors of the tax were always assisted by informers, and the latter who served without a salary, made their living through illegal gratification offered by those who had to pay the tax. In a country where people were ignorant, where the English officials were inaccessible to the generality of the population, and where there was little of public opinion, an indirect tax would have been much more preferable than a direct one.[20]

One disturbing feature of the financial situation was the inordinately increasing Government expenditure. Between 1876 and 1880 the public debt had grown by twenty million pounds; between 1870 and 1880 the gross expenditure had gone up by fifteen or sixteen million, and between 1874 and 1880 the army expenditure had increased by three million. It was wrong, said Ameer Ali, to assert that the war was responsible for the lack of a surplus. The important question was: how was the deficit to be met? A loan would be a temporary expediency, but the future finance minister would not find it easy to pay the interest out of the general revenues. Britain should pay a portion of the cost of the Afghan War. But the only equitable, permanent

20. Ameer Ali, "Some Indian Suggestions for India", *Nineteenth Century*, June 1880.

and effective solution lay in placing the finances of India on a satisfactory basis. All direct forms of taxation were unsatisfactory and created problems of practical administration. In the field of indirect taxation the first consideration should be the re-imposition of the cotton duties. In doing so the Government should get rid of the fear of 'hurting the susceptibilities of English constituencies and British manufacturers'. The theory that the import duties on cotton goods were repugnant to the principle of free trade and that they heavily pressed on the poorer classes was erroneous. Excise duty, particularly on luxury goods and liquors, should be levied, and the duty on salt should be rationalised.[21]

Whatever the truth of the view that India was on the verge of bankruptcy, there was no doubt about the fact, declared Ameer Ali, that 'the mass of the population is worse off now than at any time before under British rule'. Everywhere the cost of living had shot up. The value of money had diminished. Trade did not bring much profit. There were more candidates than posts in Government service. The cultivators were impoverished. The landowning class was not well off. The wages of the labour had increased, but without a corresponding improvement in their condition. As a whole, 'a dead weight seems to hang on the Indian community'.

What had really caused this? One reason was the financial difficulties of the Government which had necessitated the imposition of 'onerous and unpopular' taxes. Another was the circumstances which led to a heavy and incessant drain of large sums of money 'in the shape of savings, pensions, home-charges, etc.' A very small fraction of the profit of English investment in India was ploughed back to open up the resources of the country. The fact was that 'whereas, under the native rule, the wealth of the country continued there, by the necessity of the British rule an enormous proportion of its resources is withdrawn, and, to a great extent, is lost'

One notable suggestion which had been made to combat this evil was that, as far as possible, Indian administration should be

21. Ibid.

carried on by Indians themselves, thus eliminating the necessity of importing costly foreign labour. The Act of 1870 had embodied this principle, but it had remained a dead letter. If Indians were appointed to posts normally reserved for Europeans, if salaries of Indians and foreigners were equalised, if administration was rationalised by retrenchment, if the annual summer-time migration of the Government of India to Simla was stopped, and if the import of unnecessary European labour was discontinued, the Government could effect substantial economies and thereby improve the finances of the country.[22]

Another important economic question concerned the relationship of the peasant to the landlord and of both of them to the Government. People connected with land had latterly incurred heavy losses. Two factors were responsible for the general indebtedness of the landowning classes and the peasantry. One was the introduction of the principle of freedom of contract (always recognised by English courts) among an unadvanced people which had thrown them completely into the hands of usurers and moneylenders. The Government was rigorous in exacting its dues. This drove the landowners to obtain loans on the most extortionate terms, and in several cases led to the sale of their properties. Since the abolition of the law against usury there was no check on the rapacity of moneylenders. Landed properties were set up to auction in the *mofussil* in the execution of decrees without reserved bids; this had the effect of knocking down estates of large value for a song.

The second factor was the rigidity of the land revenue system of India. Land tax was exacted regardless of all questions of droughts or floods or bad or good harvests. In areas where the Permanent Settlement was in force the law decreed that in case a *zamindar* defaulted in the payment of the tax by the sun-set of a fixed day his estate was liable to be sold by public auction. This 'sun-set law' had driven many to ruin and beggary. The sons of those affected by it looked to the Government as the only source of their troubles, and thus discontent and disloyalty

22. Ibid

grew. Sometimes fraud and collusion led to the forced sale of vast estates before the owner knew what was happening.[23]

Ameer Ali was of the opinion that the application of the Permanent Settlement should be extended to the whole of India. The system of periodical settlements kept the people in perpetual uncertainty. The proprietors and the peasants felt equally insecure. The Permanent Settlement had, on the whole, proved beneficial to Bengal. In other places, where periodical settlements were made, the condition of the people was worse than in Bengal. At the same time the Government should confer transferable rights on the *bonafide kashtkars*[24] holding occupancy tenures. But care should be taken to prevent the peasantry from being bought out or swamped by speculative laywers or greedy *bunniahs*[25] The landowning class was strongly represented it the Councils. It had easy access to the governing circles. Its views were heard everywhere with attention and care. The voice of the peasant remained unheard and unheeded until he staged an uprising or committed a deed of violence. No mischief could arise out of the transfer of rights to the *ryot*. Subinfeudation, which usually led to rack-renting, should be stopped. Absenteeism should be discouraged. At the same time, the peasant should be encouraged to improve his material condition: this could be done only by giving him a stake in the soil which would be heritable as well as transferable. Schemes for helping him in distress should be implemented in the form of Government loans and the establishment of agricultural banks.[26]

In 1893 Ameer Ali wrote another shrewd review of the Indian economic situation under the self-explanatory title of "The Rupee and the Ruin of India".[27] He argued against the prevailing impression 'that the fall in the gold value of silver affects only the

23. Ibid.

24. Tillers, those who actually farm the land.

25. Hindu moneylenders.

26. Ibid. On this subject see also his detailed study of the land problem in Bengal, "The Life Problem of Bengal", *Nineteenth Century*, September 1883.

27. It appeared in the *Nineteenth Century* of March 1893

European officials in India and that an attempt to restore the rupee to anything like its old value would be prejudicial to the people of the country'. He showed how within the last twenty years the income of the wage-receiving classes had for the most part remained stationary while the prices of foodgrains had steeply risen. This was also true of the industrial labour. Thus the 'intimate connection' between the fall in the gold value of the rupee and the abnormal rise in food prices was self-evident. It was urged by some that the export trade in India in grains and cereals derived its chief impetus from the falling exchange rate of the rupee and that therefore it was beneficial to the agricultural classes. But it was, he said, very doubtful if an export trade 'factitiously fostered and maintained' by the fall in the gold value of silver brought good to the people. The only classes to benefit from this trade were the produce brokers and exporters, who were then clamouring to prevent any interference in the direction of rehabilitating the rupee. The genuine export trade owed its development, not to the depreciation of silver, but to the Suez Canal, increased facilities of transport and reduction in the freight of goods.

The effect of the fall in the gold value on the Government was that it had been brought 'on the verge of veritable bankruptcy'. Its surpluses had disappeared. All new productive work had stopped. Expenditure had been reduced to the minimum necessities, and money was so scarce that the Government had appropriated the Famine Insurance Fund for other purposes. A very large sum had to be remitted to England in sterling: between 1873 and 1893 the Government of India had lost sixty-seven million sterling in such transactions. Taxation had increased, so had the public debt. A huge deficit lay ahead. How was it to be met? There was no margin for further taxation. 'Is the country to be allowed to go to ruin, the people to starve, the official classes driven to the verge of insolvency, to satisfy the theories or to fill the pockets of a small class of people?'

The official classes, too, had suffered by the loss on exchange. They were now paid in depreciated currency, while everything they purchased was paid for in gold. This had affected their standard of living and might, in time, lead to a state where poorly-

paid Civil Servants' got entangled in straits which in most civilised countries are regarded as detrimental to the public interests'. The professional classes—the doctors, the traders, the lawyers, and the merchants—had fared no better.

He was sure that it would be 'a serious political blunder' to let the rupee stand at the low level to which it had sunk. If remedial measures were not taken in time the number of Europeans in the civil and military employment of the Government would be considerably reduced. Indians trained in Europe would be reluctant to take service in India, the efficiency of the administrative machine would be impaired, all influx of capital from abroad would dry up (as capitalists in gold countries would not invest in securities in silver countries), and the resources of the country would languish for the want of development.

In 1905 Ameer Ali again turned to the fiscal question.[28] It had gratified him to find that several of the reforms suggested by him in 1880 and 1893 had been accepted and implemented. Yet, much remained to be done in amelio ation of the masses. The stringency of the revenue laws still cried for relaxation. The *ryots* were still awaiting the conferment of transferable rights in occupancy tenancies. Many areas were still without any legal restriction on the alienability of land. The factors which had led the Government to pass the Punjab Land Alienation Act were present in the rest of India and the principle underlying the Act should be extended everywhere. In provinces where such legislation was considered unwise the civil courts should be vested with 'a discretionary jurisdiction to refuse to put up land to sale in execution either of a decree on a mortgage or of a simple money decree'. They should also be empowered to 'behind' the contracts, and either to refuse to give them effect or to vary them if, upon inquiry, they were found to be unconscionable or harsh. Family litigation was almost endemic in India and was a cause of decline in prosperity and disruption of families. One remedy was the creation of courts of arbitration for the adjudication of family disputes. Ordinary courts of justice should discourage such suits

28. Ameer Ali, "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905.

from being dragged before them. The tax on justice, in the shape of court fees, was another anomaly which should have been eliminated long ago.

Chapter 3

POLITICAL ORGANISATION OF MUSLIMS

One of the fundamentals of Sir Sayyid Ahmad Khan's policy was aloofness from politics. He was convinced that the Muslims of India were yet not ready to enter the political arena for a number of reasons. They were under a cloud for their alleged instigation of the Mutiny, they were economically far behind their Hindu fellow-subjects, they were educationally backward, and they were socially in need of radical reforms. Therefore the slogan he gave to the Muslims was to keep themselves away from politics, to educate themselves quickly, and to make friends with the British. He thought that their salvation lay in this direction, and nothing could deflect him from this belief.

Ameer Ali was a strong supporter of Sayyid Ahmad's general movement for the advancement of Indian Muslims. He realised that without education the community would never make their mark in India. He appreciated Sayyid Ahmad's concern for social reforms. He shared Sayyid Ahmad's tendency towards making peace with the rulers. He agreed with Sayyid Ahmad's opinion that Muslims formed almost a separate nationality in India. But on the question of participation in politics the two leaders had different points of view. Ameer Ali was the first Muslim in India to publicly state that the Muslim community should organise themselves politically. He could foresee a future in which political consciousness and organisation would be useful, nay essential, for any progress. In this he was far in advance of other Muslim leaders, even of the Hindu leaders, because his call for political organisation was made nearly ten years before the Indian National Congress was established. He believed that in order to negotiate with the Government, to demand and receive concessions, to express their opinions and to present their griev-

ances, to make suggestions for reforms and to take advantage of constitutional advance, and to safeguard the community against Hindu aggrandizement as well as British indifference, it was absolutely essential that Muslims should have their own political organisation. This certainly did not amount to any criticism of the Government or to preaching disloyalty. Even to co-operate with the rulers the community must be organised so that the co-operation was general and whole-hearted.

So firm was his belief in this policy that even Sayyid Ahmad Khan's opposition to it could not stop him from proceeding to establish the first Muslim political body in India.

The Central National Muhammadan Association

As we have seen in the first chapter Ameer Ali founded the National Muhammadan Association in Calcutta in 1877. It was aimed at looking after the interests of Muslims of India in general and of those of the Bengal presidency in particular. The objects of the Association were laid down in one of its publications in these words: 'The present backward position of the Indian Muslims is due partly to internal and partly to external causes. The disintegration of Muhammadan Society, the decadence of their principal families and the general ruin which has overtaken all classes of the Musalman community combined with the absence of any means to represent to Government faithfully and honestly, the views of the Musalmans of India, have placed them in a most disadvantageous position, as regards political influence and power, relatively to the other Indian communities. It may safely be affirmed that until the establishment of the Central National Muhammadan Association, there existed no political body among the Indian Muhammadans capable of representing to the Government, from a loyal but independent standpoint, the hopes and aspirations, the legitimate wants and requirements of the large body of Muslims in this country, who by their number and homogeneity constitute such an important factor in all questions concerning the welfare of India. The few Muhammadan societies which had been formed here and there were, in the main, literary and scientific, having for their object the promotion of a desire for European knowledge among the Muhammadans,

The absence of a really representative political institution occasionally forced the Government to consult these societies upon questions affecting the Muhammadan community of particular localities. The opinions thus elicited hardly represented however the views of the leaders of thought among them, who were alive to the exigencies of the times. The factions and cliques into which the Muhammadan community was divided not only prevented their acting in concert with their Hindu and Christian fellow-subjects on general questions of public policy, but absolutely precluded the possibility of collective action in the way of social progress and reform. In order to obviate the difficulties under which the Muhammadans have laboured hitherto, the National Muhammadan Association was instituted four years ago for the protection and conservation of the general interests of the community.

'The Association has been formed with the object of promoting by all legitimate and constitutional means the well-being of the Musalmans of India. It is founded essentially upon the principle of strict and loyal adherence to the British Crown. Deriving its inspiration from the noble traditions of the past, it proposes to work in harmony with Western culture and the progressive tendencies of the age. It aims at the political regeneration of the Indian Muhammadans by the moral revival and by constant endeavours to obtain from Government a recognition of their just and reasonable claims.

'The Association does not, however, overlook the fact that the welfare of the Muhammadans is intimately connected with the well-being of the other races of India. It does not therefore exclude from its scope the advocacy and furtherance of the public interests of the people of this country at large.

'It is hoped that the Association, while working in the cause of the Musalmans, will also be able to promote and conserve the interests of their non-Muslim compatriots. It is also hoped that the Association may, by conveying and interpreting to the Government the wants, feelings and opinions of a considerable portion of Her Majesty's Indian subjects, prove in no small measure a useful auxiliary towards establishing upon a solid basis the

permanent stability of beneficent rule in India'.[1]

T carry the message of the Association and to broadcast his call to unity Ameer Ali travelled far and wide throughout India, exhorting people, awakening their political consciousness, persuading them to send their children to school, and founding branches of the Association. He came to Karachi to impress on the Muslims of Sind the necessity of having a college of their own 'where the Muhammadan youths could receive religious and moral training equally with secular education'.[4] Here Hasan Ali, a prominent Karachi lawyer, helped him in founding the Sind Muslim College. In a short time the Association had 53 branches in Bengal, Bombay, Madras, the Punjab, the United Provinces and Bihar.[3] At some places Ameer Ali was able to associate Hindus with his cause, e.g. the Tumkoor Association in the South was presided over by one P.N. Krishnamurti.

In 1882 the Association submitted a memorial to the Viceroy on Muslim grievances and demands.[4] It is an indication of Ameer Ali's influence that this document was thoroughly examined by the Government and on 17 July, 1885, the Government of India adopted a favourable resolution. On the question of Muslim share in the public services the Viceroy wrote, 'The Governor General-in-Council desires that in those provinces where Muhammadans do not receive their full share of state employment, the local Governments and High Courts will endeavour to redress this inequality as opportunity offers, and will

1. *The Rules and Objects of the National Muhammadan Association with a List of the Members*, Calcutta, 1882.

2 See *Report of the Central National Muhammadan Association of the Past Three Years 1885-1888*, Calcutta, 1888, p. 3.

3 In 1888 the Central National Muhammadan Association had the following branches: Karachi, Shahzadpore Sankarpore, Larkana, Sukkhur, Lahore, Amritsar, Delhi, Hardoi, Hissar, Gujerat, Ambala, Ludhiana, Bareilly, Badaun, Mohan, Allahabad, Ajmer Lucknow, Ghazipur, Surat, Dindigal, Bangalore, Tumkoor, Vizagapatam, Vizianagram, Sasseram, Arrah, Dinapore, Gaya, Patna, Chapra, Sewan Muzaffarpore, Motihari, Bhagalpore, Hooghly, Jahanabad Pundooah, Rangpore Midnapore, Bogra, Rajshahi, Noakhali, Mymensingh, Comilla, Shillong, Chittagong, Dumka, Brahmabariah, and Cuttack

4. See *Memorial of the National Muhammadan Association*, Calcutta, 1882.

impress upon subordinate officers the importance of attending to this in their selection of candidates for appointments of the class referred to. The subject of the extent to which Muhammadans are employed in offices under Government might usefully be noticed in the annual reports of the provincial administration.'

In March 1888 the Association sent a memorandum to the Lieutenant Governor of Bengal in which it protested against the competitive system of recruitment to the public services, and said that 'competitive examinations are, at the best, most fallacious tests of merits and ability, and, so far as the Muhammadans are concerned, an unfortunate and uncertain test'.[5]

The Association had given lukewarm support to the first meeting of the Indian National Congress, but after that it cut itself off completely from all Congress activities. The Association's reasons for not joining or supporting the Congress reveal Ameer Ali's thinking on the larger question of Congress-Muslims relationship. The Association said, 'The abstention of this Association in 1886 from the "National Congress" gave rise to considerable criticism in a part of the Hindu papers. It is necessary therefore to explain the reasons which weighed with this Association in adopting the policy of abstention which it has hitherto observed. The Association has much sympathy with some of the objects which the Congress has placed before itself, and great respect for the principal leaders of the movement. But it is firmly convinced that the unqualified adoption of the programme of the Congress will lead to the political extinction of the Muhammadans. This Association is willing to concede that the system of nomination by which the councils of the Government are recruited is not always happy in its results. But, bearing in mind how the Muhammadans are placed in this country, and how necessarily voting must take place by nationalities and creeds, the Association cannot believe that the introduction of representative institutions in this country in their entirety will be to the advantage of the Muhammadans. The principle of representation must be carefully considered in connection with the rights of the minority. Nor can the Association consent to the introduction of any

5. *The Report of the Committee of the Central National Muhammadan Association for 1885-1888*, *Calcutta*, 1888, p. 17.

system which would result in the minority being utterly swamped in every department of state.

'Nor must it be forgotten that the unequal political development of the two communities, coupled with the comparatively recent growth of English education among the Muhammadans, renders it absolutely necessary for this Committee to be on its guard against any movement likely to jeopardise the interests of the Musalman subjects of Her Majesty. The Committee cannot deprecate too strongly the want of foresight, displayed by so many of our co-religionists in endorsing, in their entirety, the views and claims of the Congress. The Committee believe that until the Muhammadans are on a par with the Hindus in political development and educational progress and the assertion and preservation of Muhammadan interests are included in the Congress programme, the consummation wished for by the Congressites will end in the absolute effacement of the Muhammadans as a community in this country.'[6]

On 12 November, 1887, a deputation from the Sind branch of the Association, under Hasan Ali, saw the Viceroy, Lord Dufferin, at Karachi, and drew his attention to the backward condition of the Muslims. The Viceroy's reply was encouraging.[7] On Dufferin's departure from India in 1888, the Central Association's deputation saw him at Calcutta on 24 March, and Ameer Ali read out the address which sought the protection of the British Government for the legitimate aspirations of the Muslims of India. The Viceroy, in his reply, reiterated that 'the guiding principle of English rule has always been to administer the affairs of the empire with absolute impartiality in the presence of the diverse religions and nationalities of which it is composed, and, in order that this may be effectively accomplished, it is its duty to see that each denomination obtains a fair start, and that the conditions upon which they enter on the contests of life are equalised and fairly adjusted. The Muhammadans of India may, consequently, rest assured that the Government will always view with the utmost sympathy and approval their endeavours to remove the peculiar impediments

6. Ibid., pp. 21 2.

7. See *Speeches delivered in India, 1884-1888, by the Marquess of Dufferin and Ava*. London, 1890, pp. 168-74.

which hamper their efforts, especially when those impediments result from a conscientious adherence to the behests of their religion'.[8]

Ameer Ali and the Muslim League

In his "Memoirs" Ameer Ali recalled, 'Both in England and in India I had frequent opportunities of discussing with Sir Sayyid Ahmad Khan the position of the Muslims in the political economy of British India, and of their prospects in the future. Sir Sayyid Ahmad Khan pinned his faith on English education and academical training. I admitted their importance but urged that unless as a community their political training ran on parallel lines with that of their Hindu compatriots they were certain to be submerged in the rising tide of the new nationalism. He would at first not admit the correctness of my forecast, but I believe the birth of the National Congress opened his eyes. In 1877 when I founded the Central National Muhammadan Association we respectfully invited him to give us his valuable support, but he declined.'[9]

The National Muhammadan Association served the Muslims well for a time, but the inspiring spirit behind it was Ameer Ali, and when he left India to settle in England the Association slowly expired of atrophy. But the need for a Muslim political organisation was always present in his mind, and, before the establishment of the All India Muslim League, on several occasions he drew attention to it.

In July 1906 he compared the Muslims with other Indian communities, like the Europeans and the Hindus, and found his co-religionists 'suffering acutely from political inanition'; 'material decadence and general want of touch with modern thought have brought about a deplorable state of disintegration'. The various existing associations had no solidarity and displayed 'no conception of the essential requirements of the community'. He mentioned four directions in which concerted action was imperative: to prevent the further decline of the community, to promote the advancement of the Muslim people, to place before the Govern-

8. For full text of the Viceroy's reply, see ibid., pp. 203-4.

9. Ameer Ali, "Memoirs", *Islamic Culture*, Octobr 1931, pp. 540-1.

ment their considered views on public matters, and to obtain relief from the mischiefs arising from the misunderstanding of their laws and customs'. He concluded by saying that 'in the absence of a recognised organisation, capable of expressing freely and openly the sentiments and opinions of the Muhammadans as a body, the feelings of the masses are likely to take a wrong shape and find outlet through unregulated channels'.[10]

The Simla Deputation was no answer to his prayers. 'Occasional and sporadic efforts of this kind will lead to no permanent result', he stated immediately after the Deputation had seen the Viceroy. What was needed was a 'permanent and influential' central organisation with 'associations in every district and in every province'. This time he redrafted his list of objectives for the proposed organisation: 'to watch over the development of the Muslim people, to protect their interests, to see that their claims to equitable treatment are not neglected, to work loyally with the Government, and, in a spirit of fairness and compromise, with all other communities in the promotion of the common welfare'. This organisation, he suggested, should be located in Aligarh which was then the centre of the intellectual life and political activity of Muslim India.[11]

The founding of the All India Muslim League in December 1906 naturally met his deep approval. But however much his sympathy with the Muslim League he could not, living in England, actively participate in its deliberations. This disability was soon overcome by the establishment of the London branch of the All India Muslim League which was put in his charge. It appears rather difficult to accept the London set-up as a branch of the Indian organisation; at times it was more active and effective than the parent body. Anyway it expounded the Muslim League policy and strove to further it by all means at its disposal. Its signal success in persuading the Home Government to concede separate representation to Indian Muslims will be mentioned in detail in the following chapter.

10. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906.

11. Ameer Ali, "Dawn of a New Policy in India", *Nineteenth Century and After*, November 1906.

In November 1909 Ameer Ali was elected president of the All India Muslim League for the year 1909-10, and he accepted an invitation to preside over the third annual session to be held in Delhi in January 1910 on the condition that he could manage to leave England.[12] He could not do so owing to his elevation to the Judicial Committee of the Privy Council. The address that he had prepared for the session was sent to India and read out in his absence.

In this address[13] Ameer Ali touched upon many questions: Morley-Minto reforms, British rule in India, prospects for self-government, economic and social uplift of the Muslim masses, the utilisation of *wakfs*, and the importance of trade and commerce. He characterised the Muslim attitude to the discussions arising from the reform proposals as 'singularly sobre and moderate'. He hoped that the Hindus and Muslims would decide to work together for the good of their country. Self-government could not be envisaged without co-operation, amity and concord. If British rule disappeared before the diverse Indian races, creeds and nationalities had learnt to live together in peace, freedom would only mean a relapse into anarchy and religious strife. To the Muslims in particular the permanence of British rule was a matter of the utmost importance. 'Their sympathies and their interests extend far beyond the limits of the Indian continent. The peaceful maintenance and development of all they value depend on England retaining her predominant place in the council chamber of the civilised world.' After an oblique reference to the prevailing Hindu unrest he called upon the Muslims to associate themselves wholeheartedly in the maintenance of law and order. But he made it clear that loyal co-operation with the rulers certainly did not mean that Muslims 'should cease to urge their claims to share in

12. See *The Times*, 1 December, 1909.

13. Unfortunately I have not been able to lay hands on the complete text of the address; it is not in the Ameer Ali Papers. Long summaries were published in *The Times* of 31 January, 1910, and in the *Civil and Military Gazette* of 1 February, 1910. It is not clear who read out the address on behalf of Ameer Ali. *The Times* reported that this was done by Sir Ali Muhammad Khan, the Raja of Mahmudabad. The *Civil and Military Gazette* said that Mr. Muhammad Shafi did so. It has not been possible to check the accuracy or otherwise of the two reports.

the benefits of British rule, or to raise their voice against the unfair treatment of their fellow-countrymen in any part of the Empire, or to forgo their right to question arbitrary acts of executive authority'.

It was a reasonable assumption, he said, that as a result of the reforms people would henceforth devote themselves largely to political pursuits. But he reminded them that politics should not be allowed to detract from the importance of the economic and material conditions and needs of the community. He asked the League leaders to consider how best to prevent the impoverishment of Muslims and the passing of their estates into other hands, to foster industries among them, to encourage trade and commerce, and to make better and more practical use of academic learning. He urged them to seek statutory recognition of the system of *wakfs*, with due safeguards against frauds. He suggested that the Government should be moved to re-establish arbitration courts, which had existed in the early part of the nineteenth century, for the settlement of family disputes, and to induce the ordinary courts of justice to discourage the evil of family litigation. He was in favour of forming co-operative associations for mutual help, whose first duty should be to save Muslim families from disruption, and, when necessary, to 'buy in' Muslim estates. It was time, he declared, that prominence be given to technical instruction in Muslim educational institutions, and he appealed to the rich to found industrial scholarships for the young.

Referring to the constitutional reforms he claimed that, throughout the controversial debate occasioned by them, the Muslim attitude had been correct and sensible, 'neither their claims nor their action in urging them implied any encroachment on or disregard of the rights of any other body'. He confessed that he had not been able to understand the rigidity displayed by so many high-placed officials towards the Muslim claim for separate representation. For the election of Muslim members to Councils, District Boards, Municipalities and Local Boards, he suggested that the central League and its branches should establish a 'system of moderation'. This 'would not interfere with the legitimate ambitions of any politician, but by removing friction and personal rivalry assure to each candidate a successful issue and to the

community generally some degree of credit'. He also wanted the League to divide its committee or council into sections, which would deal with such fields of work as economic issues, political affairs, educational problems and sociological questions, 'as it was only through the agency of small bodies of competent and earnest people that much practical work could be effected'. The actual application of the measures adopted would, however, rest with the provincial organisations of the Muslim League.

Ameer Ali's enthusiastic and close connection with the Muslim League continued till 1913. But towards the end of that year some difficulties arose.[14] The fact is that with the repeal of the partition of Bengal in December 1911 and the unhelpful British attitude towards Turkey in the Turco-Italian War the good old fabric of Muslim loyalty was beginning to crumble. New leaders, like Maulana Muhammad Ali, had come to the fore; old leaders were revising their attitude under the stress of circumstances. By the middle or end of 1912 a new trend in League opinion was visible. Knowing the importance and influence of the London Muslim League and the immense value of controlling it, the All India Muslim League now tried to assert its constitutional powers as the parent body, and decided that the London branch must obey all instructions from India and carry out the new policy. Ameer Ali was unhappy with these changes; he did not like to be dictated to and he was not convinced of the soundness or desirability of the new policy which he considered to be rather 'advanced' and, in parts, even 'extremist'. None knew better than he of the part the London League had played since its formation in May 1908. It had been a most valuable exponent of Muslim sentiment and opinion. It had had no small share in securing a Muslim victory in the making of the Morley-Minto reforms. It is not unfair to say that Muslim success would have been in jeopardy without the hard work put in by the London body. Though technically a branch of the All India Muslim League, so far its relations with Lucknow had been those of co-operation, collaboration and co-ordination rather than of subordination. During the making of the reforms it had actually taken the lead in formulating

14. Some details of this have already been given. See *supra*, Chapter I.

and expressing Indian Muslim opinion. On such matters as the treatment of Indians in South Africa and the East Africa Protectorate, the claims of Indians to positions of real responsibility in the commissioned ranks of the army, and questions affecting the welfare of Indian students in England, it spoke with knowledge, dignity and confidence. Personally Ameer Ali was abler, more experienced and better known than most League leaders in India. In these circumstances the attempt of the Muslim League to control the London organisation was bound to provoke resistance. The fact that Ameer Ali (with the Aga Khan) was also opposed to the new policy of the Indian leaders ruled out the possibility of his agreeing to carry it out as president of the London branch.

Matters came to a head in October 1913 when, finding himself unable to work under the conditions now demanded, Ameer Ali sent in his resignation. The vice-president (C.A. Latif) and treasurer (A.S.M. Anik) of the London League also resigned. The Aga Khan announced that he, too, was going to resign from the headship of the All India Muslim League 'as soon as practicable after his return to the dependency'. A meeting was held in London in which the Aga Khan discussed matters with Muhammad Ali and Sayyid Wazir Hasan, but no readjustment of views was found possible.[15] However, private negotiations seem to have continued for in December it was announced that the London League office-bearers had withdrawn their resignations.[16] But this was a temporary patchwork and Ameer Ali soon severed his connection with the Muslim League.

It is difficult to interpret these developments for want of access to the private papers of the chief characters of the story. Why, and on what conditions, did the All India Muslim League agree to the continuation of a semi-independent London League? One reason might have been the dependence of the Muslim League, in terms of financial support and political influence, on the Aga Khan. Another might have been a realisation that a London agency was of great use and that Ameer Ali was irreplaceable. Still another reason was the wide support given to Ameer Ali by Indian Muslims generally and the Punjab and United Provinces Provincial Muslim

15. See *The Times*, 31 October, 1913.
16. Ibid., 12 December, 1913.

League organisations in particular.[17]

Ameer Ali's relations with the All India Muslim League were never the same again. He might have continued to be a member of the organisation, perhaps also of its London branch (we have no definite information); but after 1913 it was Sayyid Ameer Ali, in his personal capacity, who issued statements, sent memoranda, interviewed men of power, and wrote letters to the press, not as president of the London Muslim League carrying out the instructions of the All India Muslim League. We hear no more of the London body; we do not even know at what point it ceased to exist.

17. See the cable from the U.P. Muslim League to Ameer Ali, *The Times* 13 November, 1913. The support from the Punjab is mentioned in a news item published in *The Times* on 12 December, 1913.

Chapter 4

THE ROAD TO SEPARATION

Indian Diversity

It was a settled conviction with Ameer Ali that India was far from being a united country and that her inhabitants could, by no stretch of imagination, be called a nation. Throughout his writings we find repeated emphasis on the diversity of India and the sharp cleavages separating her peoples.

India was 'not a homogeneous country inhabited by one race, profession or faith, speaking one language, and animated by one set of ideas'.[1] As early as in 1906 his sharp eye had noticed that English education, instead of drawing the Indians together, had 'drifted them apart, and rendered the task of government much more difficult'.[2]

What was responsible for this diversity? The Hindu answer was simple but historically untenable: British evil intentions. Ameer Ali did not subscribe to the view that Indian differences could reasonably be ascribed to 'deliberate machiavellism on the part of the Government'. A closer study of the problem, he wrote, 'would probably show that the fault of British Indian bureaucracy lies the other way--in a desire to fuse all the elements in one common body and deal with them as such, regardless of all the differences which enter into the very composition of Indian society. It is natural to wish for a homogeneous nationality to rule over, as the path of administration is then made easier. But this very wish—it is frequently overlooked--leads to a disintegration of those classes who, from the absence of castes and

1. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906.

2. Ibid.

caste-conventions, lack the power of consolidation, and therefore depend for their solidarity on special organisations'.[3]

India was a 'vast continent composed of numbers of communities differing from each other in ideals, traditions, religion and language'. What was suitable for one of these groups was not suitable for the other. The Hindus were better equipped and better organised and 'naturally they expect, from the concessions the British Government proposes to make to India, practical dominance over the non-Brahmanical peoples'.[4]

This Indian divergence was outstandingly summed up in the Hindu-Muslim conflict. In almost everything he wrote between 1882 and his death in 1928 Ameer Ali, in a language more percise than Sayyid Ahmad Khan's and with a pungency sharper than that of the Muslim League leaders of those times, sought to impress upon the British, upon the Hindus and upon his own people the fact and the significance of this cleavage. 'In every walk of life', he said in 1882, 'in every matter, whether it concerns the disposal of a post or the dispensing of state hospitality, the Hindoo has obtained an influence which he will not willingly share with another'.[5] He summed up the Mnslim objection against joining the Indian National Congress in the oft-quoted sentence, 'The chief objection on the part of the Muhammadans to make common cause with "the National Congress" is based on the conviction that tied to the wheels of the Juggernauth of majority they would in the end be crushed out of the semblance of nationality'.[6] The two-nation theory, on the basis of which the demand for Pakistan was latter made and fulfilled, was implicit in this argument.

In a speech delivered at the London Muslim League inaugural lunch in 1908, he spelled out the Hindu-Muslim differences in unmistakable terms. 'Hinduism is not merely a religion, but a complex social system of immence antiquity. . . . To think that it has any democratic tendency or ideal is a mistake. . . . Muham-

3. Ameer Ali, "The Constitutional Experiment in India", *Nineteenth Century and After*, March 1910.

4. *Memorandum to the Indian Statutory Commission*, June 1928.

5. Ameer Ali, "A Cry from the Indian Muhammadans", *Ninteenth Century*, August 1882.

6. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906.

madanism, on the other hand, is democratic, tending towards socialism. It opens its doors to all comers. It is only people who are ignorant of the situation, who do not understand the situation, that talk of common citizenship. Any attempt to drive the smaller into the bigger camp will only lead to discord and strife. It is only by remembering that the two elements deserve equal consideration, that both of them are important factors in the administration of the country, by endeavouring to understand the idiosyncracies of the two nations, by not allowing the interests of the one to be subordinated to the interests or ambitions of the other, that you will make the projected (Morley-Minto) Reforms successful. It is in this conviction not in any spirit of antagonism or racial prejudice, nor any feeling of jealousy or desire to take anything from the others, that the Muslims have pressed their case'.[7] Here Ameer Ali followed the logical end of his argument and did not shrink from calling the Indian Muslims a nation.

Shortly afterwards, in a letter to *The Times*, he repeated this by saying, 'In India the rank and file of the two communities are still widely divided in habits, customs, and traditions of race and religion—a more dominant factor than in European countries—all of which tend to produce the feelings and thoughts which govern the actions of peoples'. He added, 'The Hindu is most anxious to preserve and extend the ascendancy he has gained, the Muhammadan aspires to obtain a share of the benefits promised to India by British rule'.[8]

'I am not a Separatist', he told an English audience in 1912, 'I believe that the development of India on modern lines of progress depends on the cordial co-operation of the two great Indian communities Hindu and Musalman, in the work of national welfare. At the same time I am firmly convinced that the development of each community must proceed on its own ideals and standards of thought and training; that any attempt at amalgamation at the present stage would mean the submergence of an ill-organised, badly equipped and badly trained minority under a majority vastly superior in numbers and immensely better organis-

7. *Speech at the London Muslim League Inaugural Lunch*, probably 1908 (Ameer Ali Papers).

8. Letter to *The Times*, 14 January, 1909.

ed. No one acquainted with the social, religious and moral conditions of the Musalmans can view such a contingency without the gravest misgiving.'[9]

Referring to the large-scale Hindu-Muslim disturbances in India, he refuted the Hindu charge that Muslims were ignorant and opposed to any unity of action in the political field. 'It is not that they are opposed to constitutional advance', he said, 'but they object to have [*sic.*] their civil and political rights left in the background. Unfortunately the larger community has by its numbers obtained the practical administration of the country; the other is apprehensive of losing every political right in the growth of Nationalism among their rivals'. He warned the Simon Commission that this was 'the real problem which the Royal Commission will have to solve; and unless that is solved satisfactorily and with justice to every section, the country will, I fear, remain in the same disturbed condition as now'.[10]

What astonished him most was 'that even when the Muslims are within their rights and desire to carry out the dictates of their religion without interfering with the rights of others, the Government is sometimes weak enough to give in to the majority, and evade making for the protection of the members of the weaker and less clamorous community'.[11]

What, in Ameer Ali's opinion, could be done to assuage the Hindu-Muslim conflict is indicated by the list of points of discussion suggested by him as the agenda for the Unity Conference of 1910:

'1. The establishment of Conciliation Boards.

'2. Representation to Government to re-establish Courts of Arbitration.

'3. Combined efforts to discourage litigation and reduce its cost.

'4. The abolition on both sides of the system of boycott against each other.

'5. The abolition on both sides of "rings" in Government offices and Departments of state to keep out or to oust

9. Ameer Ali, "The Muhammadans of India and their Place in the Empire", probably 1912 (Ameer Ali Papers).

10. Letter to *The Times*, 4 November, 1927.

11. Ameer Ali, "Memoirs", *Islamic Culture*, October 1931-October 1932.

members of either community.

'6. Stoppage on both sides of endeavours to proscribe the language of either side.

'7. As the Muslims are in a minority and are often unable to secure, in spite of all goodwill, adequate representation on representative bodies, such, as local and district boards and municipal corporations, recognition of their claims to communal representation on a fair and equitable basis.

'8. Combined efforts to promote the healthy economic development of both communities by discouraging high rates of interest, and, if possible, limiting the same.

'9. Discouragement of forced sales of mortgaged properties.

'10. Recognition on both sides of the religious institutions of both communities, such as Debutter and *Wakf*, and abstention on either side from bringing them to sale'.[12]

Comments on Hindu Agitation

With his concern for a peaceful evolution of Indian politics, his judicial-mindedness, his emphasis on a constitutional approach to all controversial matters, and his deep interest in the welfare and progress of the Indian Muslims, it was natural for Ameer Ali to look askance at the Hindu agitation which began in Bengal in 1905, when the Government of India, for purely administrative reasons, divided that large presidency into two more easily manageable provinces, and was quickly spread to other parts of India by Congress propaganda.

In the spring of 1907, Ameer Ali wrote an article for the *Nineteenth Century and After* in which he analysed the Indian unrest and brought out its true meaning. The fact that he himself came from Bengal where he had held high judicial office and had occupied a prominent position in the political field lent added authority to his study of a subject which few clearly understood and many wilfully misrepresented. Its implications were far reaching for all parties: the Hindus, the Muslims and the British Government.

12. These points were contained in a letter from Sayyid Ameer Ali to the British President of the Indian National Congress, Sir William Wedderburn. See *Civil and Military Gazette*, 14 December, 1910

The lawlessness and irresponsibility of the movement struck him as something inherently undesirable. 'No Government worth the name can allow liberty to degrade into licence to be used as an engine of oppression—for landlords to coerce tenants not to buy foreign goods, for irresponsible youths to prevent by force other people from following their legitimate trades and occupations or the bent of their own tastes. It would be the encouragement of a tyranny of the worst kind—a mob tyranny likely to involve different communities in violent conflicts'.[13] He did not spare the Government for letting this state of affairs continue unchecked. 'When bands of "national volunteers" are allowed to roam about the country to terrorize over law-abiding people the only explanation of the extraordinary situation is that the administration must have been seized with a sudden paralysis'.[14]

He approved of the Muslim policy of aloofness from this dreadful agitation, and was glad that 'under the most trying circumstances' they had exercised 'great self-restraint and moderation'. They had withheld 'all attempts to exasperate them or to goad them to put themselves in the wrong'. He exhorted them to persist in this policy of self-control in order not to play 'into the hands of those who wish to create mischief'. He warned them to remember that 'in any disturbance, however provoked, they are more likely to receive harsher measures, lest leniency might be construed into favouritism'.[15]

He opposed the suggestion made by the Aga Khan that one remedy of the agitation was the appointment of a Royal Prince to be sent to India as a Regent. 'The suggestion', Ameer Ali pointed out, 'not merely misses tho nature of the complaint for which the remedy is prescribed, but also the difficulties which surround its application.'[16]

He was the only Indian commentator on the Hindu unrest to make the valuable point that one of its results had been 'to stiffen the back of the African Colonists against making concessions to Indian settlers' [17]

13. Ameer Ali, "The Unrest in India—Its Meaning", *Nineteenth Century and After*, June 1907.

14. Ibid.

15. Ibid.

16. Ibid.

17. Ibid.

He had no doubt in his mind about what Muslims should do in the face of this explosive situation. It was their 'religious duty' to 'range themselves more solidly than ever on the side of law and order, on the side of those who were, and would be for a long time yet, the trustees of India's development and progress'. The Indian Muslims 'knew exactly what would happen if England's hold were weakened or lost'. A fierce conflict between races and creeds would result, in which 'the classes more bitter against British rule would disappear, the fabric built up within the last half-century would collapse; there would be a relapse into the anarchy of 150 years ago; or a foreign domination, stringent, antipathetic, and unprogressive'.[18]

Nationhood for Indian Muslims

The terms 'nation' and 'nationality' were used by Ameer Ali for Indian Muslims on very many occasions. Writing in the *Nineteenth Century* in August 1882, when even the Hindus had yet not begun to call themselves a nation and three years before the first meeting of the Indian National Congress, he said, 'A *nation* consisting of upwards of 50 million souls, "with great traditions but without a career", deprived by slow degrees of wealth and influence by a policy of mistaken sentimentalism, mixed with a contemptuous disregard for popular feelings, must always constitute an important factor in the administration of India'.[19] A quarter of a century later he asserted in clearer terms, 'Nor ought it to be overlooked that the community of language, sentiment and traditions places the Muhammadans of the different provinces on a common platform, and constitutes them in an emphatic sense *one nationality*'.[20] In the following year his tone was even more confident, 'The bonds of common religion and unity of traditions constitute the Musalmans into perhaps *the only homogeneous nationality in India*.'[21] In 1909 he told Morley, 'To

18. Speech at a London Muslim League meeting at the Caxton Hall on 12 July, 1909; see *Civil and Military Gazette*, 3 August 1909.

19. Ameer Ali, "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882.

20. Ameer Ali, "Dawn of a New Policy in India", *Nineteenth Century and After*, November 1906.

21. Ameer Ali, "Some Racial Characteristics of Northern India and Bengal", *ibid.*; November 1907.

call them [Indian Muslims] a minority is a misapplication of the term, and to regard them in that light would be an injustice to the Muslim people. *We form a nationality* as important as any other, and our wishes, sentiments and interests should, we conceive, form as important factors in the consideration of policy and measures as those of any other'.[22]

The reader will notice how closely the arguments used here by Ameer Ali match with those of Muhammad Ali Jinnah made after 1940. There is the same emphasis on the community of interest, of religion, of language, of wishes and of sentiments. Both resent the application of the term 'minority' to their people. Both urge the British to regard the separate existence of Muslims as a vital factor in both the administration of the country and its future policy. Both underline the fact that Muslims constitute even a more homogeneous group than the Hindus or the other Indians. And, finally, both acknowledge, bemoan and strive to eliminate the backwardness and poverty of their nation.

Sayyid Ahmad Khan had also used the Urdu word 'qaum' in some of his speeches and writings with reference to Indian Muslims. But 'qaum' may have other connotations than those of the more specific Western term 'nation'; it can, for instance, be used in the sense of 'people' or even of a caste or sect (*baradari*). Ameer Ali was, thus, the first to call the Indian Muslims a nation and must be counted as the progenitor of the two-nation theory and by implication one of the makers of Pakistan.

After having established a separate and distinct status for the Muslims of India, Ameer Ali proceeded to underline their general backwardness. This backwardness, he was quick to point out, was due to their 'general poverty'. The well-to-do middle class—'the section which forms the backbone of a nation'—had become totally extinct.[23] He was tireless in calling for an economic regeneration of the people, for the uplift of the masses, for Muslim participation in trade and commerce, and for mutual help and cooperative effort.

In the field of education he offered many suggestions for improvement. He favoured the framing of a comprehensive scheme for

22 *Deputation to the Secretary of State for India*, 27 January, 1909. All italics in this paragraph are mine.

23. *Memorial of the National Muhammadan Association*, para. 16.

the education of the Muslims, similar to the one then devised for the Eurasian community.[24] He suggested the appointment of a commission, consisting of the Directors of Public Instruction in Muslim provinces, one or two European officials, and some leaders of thought and advocates of reform from among the Muslims, to examine the whole question of Muslim education and to formulate a practical scheme for that purpose.[25] He thought that the Muslim element was 'most inadequately represented' on the Education Commission which had recently been appointed, and therefore insisted on a separate commission for Muslim education.[26] He called for the preservation of the existing Muslim endowments and their utilisation for educational purposes.[27] The large funds appertaining to the various endowments, which had escaped the jaws of the Inam Commission, and of which the Government had the control and direction, should be 'religiously and scrupulously' applied to promote Muslim instruction.[28]

The purely vernacular schools should be abolished, and the funds allotted to their support should be applied to promote higher English as well as technical education. 'It seems unwise of the Government to maintain institutions for imparting a purely Oriental education, as this fosters in the people the old ideas of exclusiveness which are inconsistent with the exigencies of British rule'.[29]

He was an advocate of denominational universities on the ground that it was a mistake 'to endeavour to educate the youth of the different nationalities of India according to one uniform method'. The difference in 'their ideals, religious standards, and ethical needs makes the task of maintaining the line of advance at an even pace for all the communities well-nigh impossible'. Therefore he suggested that the Hindus, the Muslims and the Christians should be educated and trained according to their own

24. *Ibid.*, para. 23. He repeated this in "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882.

25. Ibid , para 24.

26. Ibid.

27. Ibid.

28. Ameer Ali, "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882.

29. Ibid.

ethical standards.[30]

Urdu was the language of the Indian Muslims and any interference with its use and extension was unwelcome to Ameer Ali. In the Nagri-Urdu controversy, which raged in Bihar in the 1880's, he took no active part, but he strongly urged the British Government to withdraw the order substituting the Nagri character for the Persian in the Bihar courts, because it 'irritated and alarmed the Musalmans without satisfying the Hindus'.[31]

Another problem which agitated his mind was that of the Muslim share in the public services. He was anguished to see that 'with every avenue to public employment already jealously blocked by members of a different race, it is almost impossible for a Muhammadan candidate to obtain a footing in any Government office'.[32] He gave facts and figures illustrating the puny proportion of Muslim employees in the town of Calcutta, in the *mofussil* and among the gazetted officers of the Government of India, and called for the balance of State patronage to be restored between the Hindus and the Muslims.[33] The 'first and foremost condition necessary for the prosperity of the Muslims' was that this discrepancy between Hindu and Muslim shares should be removed.[34] He regretted that the entire government of the country, so far as it affected the Indians, was virtually in the hands of the Hindus. 'Their influence is all-powerful in every department of State, and that influence is almost invariably exercised to exclude the Muslims, whom they regard as aliens, from their proper and legitimate share in official preferment.'[35]

The passage of time had failed to solve this problem to the satisfaction of the Muslims, and at the end of his life Ameer Ali was again drawing the attention of the Indian Statutory Commission to it. 'Adequate representation in the public services',

30. Ameer Ali, "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905.

31. Ameer Ali, "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882.

32. *Memorial of the National Muhammadan Association*, para. 18.

33. Ibid. See the tables between paras. 13 and 14, and para. 21.

34. Ameer Ali, "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882. In this article he reproduced the tables originally published in the *Memorial*.

35. Ibid.

he wrote to the Commission in 1928, 'is as necessary to the progress and prosperity of the community as an equal share in the representation of public bodies.'[36]

Separate Representation for Muslims

For the Muslims the most significant part of the Morley-Minto reforms was the provision of separate representation for their community in legislative councils. This arrangement was originally suggested and demanded by the members of the Muslim deputation which saw the Viceroy and Governor General at Simla on 1 October, 1906.[37] From that moment onwards separate representation became the only touchstone by which Muslim India tested the adequacy and efficacy of the reforms. Lord Minto, the Viceroy, was sympathetic to the demand and had expressed a favourable opinion in his reply to the deputationists' address.[38] However, difficulties arose in London where the Liberal Secretary of State for India, John Morley, held a different view. He was opposed to the scheme of Muslim electorates as it had been suggested by the Muslims and as it appeared in the Government of India's despatch of 21 March, 1907.[39] He prepared an entirely new plan of a mixed joint electorate which, in Muslim opinion, neither safeguarded Muslim rights nor satisfied the wishes of the Muslim community.[40]

As it was the British, rather than the Indian, Government which was adamant and needed to be persuaded, the real battle for Muslim representation was fought in London. Ameer Ali and the Aga Khan were the Muslim spokesmen who led and won this battle.

36. *Memorial to the Indian Statutory Commission*, June 1928, para. 9.

37. The text of the Simla Deputation Address appears in full in *Speeches by the Earl of Minto, Viceroy and Governor General of India*, Calcutta, 1910, pp. 59-65.

38. Lord Minto's reply to the deputation is in ibid., pp. 65-70.

39. Government of India to the Secretary of State. Public Letter No. 7 of 1907, 21 March, 1907. *Indian Public Letters*, 1907, Vol. XXXV.

40. For a clear account of the whole controversy see S. Razi Wasti. *Lord Minto and the Indian Nationalist Movement, 1905 to 1910*, Clarendon Press, Oxford, 1964, especially Chapter V. For a Hindu version based on the same source material see M.N. Das, *India under Morley and Minto: Politics behind Revolution, Repression and Reforms*, Allen and Unwin, London, 1964.

Ameer Ali, a former High Court judge, an author of repute, soon to be raised to the Privy Council, commanded considerable influence in high British circles. His marriage into a well-known English family provided him with useful connections to press his case. In private he talked to his friends and acquaintances about the problems and future of Muslim India. He used the platform and the prestige of the London Muslim League, of which he was the President, to mould British public opinion on the issue of Muslim electorate. He sent articles to journals of opinion, wrote letters to *The Times* and other national newspapers, addressed meetings, and invited interested members of Parliament to meetings and get-togethers where they could be informed of the Muslim side of the question.

He knew that the future of Muslim India depended on the outcome of this debate. If separate representation was denied her, Muslims would be swallowed up by the teeming millions of Hindu voting citizenry. Their interests would be forgotten, their wishes brushed aside, their future irreparably compromised. In a joint electorate of any kind Hindu majority would guarantee the election of only such Muslim representatives as would be more acceptable to Hindu voters than to the Muslim public. Technically Muslims would be represented in the legislative assemblies. Morally they would have no voice and no means to make themselves heard. This, he thought, was an obvious absurdity.

On 9 January, 1909, he sent a long letter to *The Times* arguing the Muslim case. After describing the historical and prevailing state of Hindu-Muslim relations and the widely divergent ambitions and desires of the two peoples, he declared that a joint electorate 'would not assure adequate representation to the Muslim community'; this fact should be 'obvious to any unprejudiced mind'. If John Morley's proposal of a joint electoral college was implemented, 'every effort will be made to divide Muslim votes, and to return to the electoral colleges and the Councils only such Muslims as would be acceptable to the majority'. He also drew the attention of his English readers to the unrest and agitation then prevalent in some parts of India, and pointed out that, in a joint electorate, no Muslim had the remotest chance of being elected unless he subscribed to the Hindu doctrine of extremism. As the Muslim community was keeping itself away from this

political agitation, no representative or respected Muslim would thus be allowed to speak for his people.[41]

The economic disparity between the Hindus and the Muslims was also a factor worth serious thought. Their standards of living were different. Generally the Muslim was less affluent than the Hindu. Unless, therefore, the franchise qualification was 'sensibly modified' the 'franchise limit would be so narrowed as to make Muslim representation practically of little value'.[42] Money would play its shady role in politics, thus reducing elections to a farce. With larger funds to use the Hindu would always be a keen and successful buyer of Muslim votes and Muslim seats. Muslim poverty and backwardness would facilitate this one-sided purchase of the ballot.

In these circumstances most of the Muslim Councillors would be holding their seats wholly or partly through Hindu votes, and would proportionately be wholly or partly pledged to the views of their political supporters. Apart from the doubtful character of the representative capacity of such men, their presence in the Councils would be used by their Hindu masters as a counterpoise to the other Muslims who depended less on Hindu votes and therefore spoke more authoritatively for their community.[43] This amounted to giving the Hindus a tempting opportunity of setting one section of the Muslims against another. Already the Hindus were gleefully practising the doctrine of divide-and-rule, though this did not stop them from charging the British with playing the same game in India.

The system of proportional representation, suggested by some observers as a solution of the problem, was not acceptable to Ameer Ali. Whatever may have been its value in countries with homogeneous populations, 'we submit it is wholly unsuited to India'.[44]

Two weeks after the publication of this letter Ameer Ali led a deputation of the London Muslim League to the Secretary of State for India in another attempt to convince him of the justice of the Muslim demand. After repeating and elaborating the

41. Letter to *The Times*, 14 January, 1909.
42. Ibid.
43. Ibid.
44. Ibid.

points contained in his above-mentioned letter to *The Times*, he deployed one further argument. One of the most important aspects of the proposed reforms was an extension in the privilege of the non-official members of the Councils. If this concession was to mean anything to the Muslims it was imperative that they 'should be represented in sufficient numbers to be able to exercise some weight, some influence on the Councils'. The standard of adequate representation that he suggested to Morley was 'that the number of Muslim members on the several Councils should be so fixed that if the Muslims were to join a certain number of what may be called non-partisan members, or to receive their support on any particular question, the issue may be decided accordingly'.[45]

Morley, however, was too enamoured of his own scheme to lend an attentive ear to anything else.[46] The overriding consideration for him was that any acceptance of Muslim demands would lead to Hindu annoyance. One day after he received the deputation he wrote to Lord Minto, 'How could I satisfy them by a straight declaration off my bat? We have to take care that in picking up the Musalmans, we don't drop our Hindu parcels, and this makes it impossible to blurt out the full length to which we are or may be ready to go in the Muslim direction'.[47]

However, on 23 May, 1909, in a speech in the House of Lords, Morley gave his word that all Muslim demands would be met. It was probably with reference to this pledge that, in early March, Ameer Ali, in a letter to *The Times*, denied that Indian Muslims were 'unduly exalted' at the prospect of their demands being fully met by the Government.[48] But fearing a reversal of Morley's opinion, he declared in his speech at the first annual general meeting of the London Muslim League, held at the Caxton Hall, on 24 June, 1909, that if the pledges given to the Muslims were not redeemed 'he would not be surprised if the bulk of them

45. London Muslim League, *Deputation to the Secretary of State for India*, 27 January, 1909 (Ameer Ali Papers).

46. For text of Morley's reply to the Deputation see his *Indian Speeches 1907-1909*, London, 1909, pp. 98-112.

47. Morley to Minto, 28 January, 1909, Viscount Morley, *Recollections*, London, 1917, Vol. II, pp. 293-294.

48. Letter to *The Times*, 8 March, 1909.

were to decide on holding absolutely aloof'.[49]

As it happened Morley did change his mind once again. On 6 August he wrote to Minto denying that the Government had ever given a pledge to the Muslims.[50] On 12 August he followed this up with another letter frankly admitting that any departure from his stand would now provoke 'reproach and dissatisfaction' among the Hindus.[51]

In November the Rules and Regulation governing Muslim representation were published, and lo! they carried a scheme of electorates which the Muslims had been demanding since the Simla deputation.[52] Ameer Ali welcomed this change in a telegram sent to India on 15 November, 'as far as can be judged at first sight, the new rules and regulations for the enlarged Indian Councils represent a considerable advance on the original proposals of the Government of India, and I trust it may be possible for Indian Muslims to give them a fair and not unsympathetic trial.'[53]

Thus Muslim India won its first substantial victory, made its first assertion of separatism, and staked its first claim to separate nationhood. The result must have greatly pleased Ameer Ali. He had fought against heavy odds. Almost single-handed he had disarmed a stubborn and powerful Secretary of State who did not conceal his dislike of Muslim leaders. Without any strong organisation behind him—the London Muslim League was small and still in its infancy—he forced the British Government to retreat on a vital issue. The All India Muslim League loyally supported him, the Aga Khan put all his influence at the Sayyid's disposal, and his English friends carried his messages to quarters beyond his own reach. His persistent hammering at the Whitehall doors, his closely-argued letters to *The Times*, his deputation to the

49. Summary of this speech in *Civil and Military Gazette*, 14 July, 1909.

50. Morley to Minto, 6 August, 1909, Viscount Morley, *op. cit.*, Vol. II, p. 314.

51. Morley to Minto, 12 August, 1909, ibid., p. 315.

52. *East India (Executive and Legislative Councils) Regulations etc. for giving effect to the Indian Councils Act, 1909*, London, 1909, Cd. 4987.

53. *The Times*, 16 November, 1909.

India Office, his speeches at the London Muslim League, his conversations amid private circles of friends—all these added up to a formidable campaign. He knew that this was the first sure step leading to a secure future which the Indian Muslims must take. He realised that once a joint electorate came to be entrenched in the Indian constitutional structure the Muslims would be swept away by the surging tide of Hindu majority. Nothing then would save them. Now was the time to assert themselves, to inform the Hindus and the British that they formed a distinct element in India which refused to be submerged in the waters of a hostile totality. Their interests were not safe except in their own hands. If seeds of democracy were to be sown in India the Englishman must know that the soil was somewhat different to what he was used to. India was not a homogeneous country where any citizen could represent any other citizen. Between the Hindus and the Muslims lay a gulf which could not be bridged by creating a system of joint electorate. Their interests were too far apart to be jointly represented. The Muslims must have their own representatives, chosen by their own voters, sitting in their own seats, safeguarding their own interests. If this was separation, let it be so. Ameer Ali had the vision to see that effective representation would light the way to better things, he had the reasoning power to make others share this vision with him, and he had the courage to oppose the mightiest in the land to make his vision come true. Muslim India owes much to his foresight, resolution, zeal of purpose and steadfastness of mind.

Nearly twenty years later the question of Muslim representation was once again brought to an issue by the appointment of the Indian Statutory Commission. Ameer Ali, then at death's door, did not allow old age to deter him from sending a memorandum to the Commission on 8 June, 1928. 'Nothing should be allowed', he wrote, 'which might hinder the free election of their [Indian Muslims'] own representatives, otherwise constitutional development would become in their case a farce.' He considered that 'it would be an unhappy day for India if the demand for the abolition of the separate electorates is conceded by His Majesty's Government'. The abolition would entail disastrous consequences. 'The country would be plunged into internecine conflict and the

fair name of England for equal justice would be tarnished'. He had no doubt in his mind that a joint electorate would 'only perpetuate the present disorders and strife.'[54]

54. *Memorandum to the Indian Statutory Commission*, June 1928, especially paras. 9 and 15.

Chapter 5

INDIAN MUSLIMS UNDER BRITISH RULE

A study of the development of Ameer Ali's views on the position, needs, problems and prospects of the Muslims of India under British rule shows how his ideas evolved from time to time and how changing circumstances affected his opinions and judgments.[1]

The importance of the National Muhammadan Association in the nineteenth century was second only to the Aligarh movement. In February 1882 the Association submitted a memorial to the Viceroy, Lord Ripon. Ameer Ali, the founder of the organisation and its permanent secretary, drafted the memorial, and its contents may safely be taken as his own assessment.[2]

The memorial was aimed at inducing the Government of India 'to adopt some effectual measures for their [the Muslims'] amelioration and the improvement of their present condition'. It began by declaring that no measure of reform adopted *within* the Muslim community would have any appreciable effect in arresting the progress of decay until the Government took steps which the necessities of the case required. While every other community was thriving and flourishing under British rule the Muslims alone 'have declined and decayed', and every day their position was becoming worse.[3]

This state of affairs had created a 'feeling of dissatisfaction'

1. This chapter inevitably suffers from some repetition of what was said in the previous pages. This is unavoidable if Ameer Ali's ideas about the problems faced by Muslim India are to be summarised.

2. *Memorial of the National Muhammadan Association*, Calcutta, February 1882. All quotations are from the original publication, a copy of which is available in the India Office Library.

3. Ibid., paras. 4-5.

among all classes of Indian Muslims. The 'dissatisfaction' was yet far from developing into 'discontent or disaffection' because they looked at the British not only as the lawful rulers of India but also as the protectors of 'all that is most valued by Islam'. Nevertheless, no Government would be justified in allowing the growth or oontinuance of a feeling of dissatisfaction among any class of its subjects. Therefore the Viceroy's attention was being called to the state of Muslim feeling.[4]

It was not correct to say that tho plight of the community was due to their own apathy and neglect to avail themselves of the educational advantages offered by the Government. From 1765, when the Diwani was granted to the British by the Mughul emperor, up to 1793 the administration of the country had proceeded on the lines set by Muslim rulers. It was in the latter year that Lord Cornwallis began the changes which ultimately affected Musalman prosperity. Yet there was no immediate difference in the political condition of the Muslims, who continued to occupy the front rank among the Indian communities. It was Lord William Bentinck's policy which began the real doom for them. In 1837 Persian was dropped as the official language, which not only amounted to cultural suppression but also caused the unemployment of a large number of Muslim subordinate officers who knew neither English nor the provincial dialect. However, along with the assumption that in future all aspirants to State service should know English, no order was passed making English education compulsory. On the contrary, up to 1864 the Muslims were firmly assured that their own classics were the *sine qua non* for government employment and for entering the legal profession. The abrupt upsetting of this, immediately after 1864, spelled disaster for that majority of the middle-class Muslims who depended on government service for sustenance.[5]

Another blow struck at the Muslims was the Resumption Proceedings ordered and harshly executed by the Government against the revenue-free grants of land made by the previous

4. Ibid., paras. 6-7.

5. Ibid., paras. 8-14 See especially the tables given in para. 13 setting forth the proportion of Muslim employees in government service in comparison to that of other communities.

rulers. This ruined hundreds of ancient families and crippled the educational system of the community which was almost entirely maintained by these grants.[6]

The Muslims wanted to study the English language and literature, but their general poverty stood in the way. The well-to-do middle class, which everywhere formed the backbone of a nation, was totally extinct among them. Few parents could afford to send their children to school. Moreover, the absence of capital was holding up Muslim enterprise. They could not engage in industry or commerce until their financial situation was improved.[7]

Still another grievance of the Muslims was the defective administration of justice. They were unhappy with 'frequent miscarriage of justice' caused by the English and Hindu judges' ignorance of Muhammadan law. The abolition of the offices of *Mufti* and *Kazi-ul-Kuzzat* meant that the exposition of Muslim law was left to unqualified and ignorant persons. Further, the courts of justice did not recognise a large part of the Muslim law regulating domestic relations.[8]

After thus setting out the major handicaps under which the Muslims were placed, the memorial went on to make suggestions for improvement. The first and the most important need was that the balance of State patronage should be 'restored' between the Hindus and the Muslims. From time to time the Government had issued orders in this direction but for two reasons no practical gain had followed. First, the desire to deal equitably with the Muslims (which animated the Governor General and the high officials) was not shared by those who actually controlled the distribution and dispensation of jobs. Thus orders given from above were either ignored or only half-heartedly carried out by the lower functionaries. Secondly, an undue importance was being attached to university education. 'Stamina and force of character are as necessary in the lower as in the higher walks of life; and these qualities can scarcely be tested by University examinations.' Similarly the condition that no one could be

6. Ibid., para. 15.
7. Ibid., paras. 16-17.
8. Ibid., para. 19.

appointed a *Munsiff* without a law degree damaged the chances of Muslim candidates. Appointments to the Subordinate Judicial Service should, as in the case of the Subordinate Executive Service, be made by an examination which tested the quality and fitness of the candidates without insisting on a law degree.[9]

In order to improve and strengthen the educational system of the Muslims some 'comprehensive scheme' should be devised like that made for the education of the Eurasian[10] community. The large funds of the various endowments should be rigidly reserved for the promotion of their education. The income from the numerous *wakf* properties should be rightfully used in furtherance of their original object, viz., the advancement of learning. There was no point in re-introducing Persian as the official language of India. It would be 'a decidedly retrogressive policy to attempt to do so, or even to hold University examinations in the vernacular'. The regeneration of India 'depends at present upon the spread of English education and the diffusion of Western ideas through the medium of the English language'. All efforts should therefore lie in the direction of providing facilities to the Muslims in the field of western education. With this aim in view it was suggested that a Commission should be appointed, consisting of the provincial directors of public instruction, one or two European officials and 'some leaders of thought and advocates of reform from the Muhammadan community', to examine the whole question of Muslim education. The need for a separate commission on Muslim education was urged because there was inadequate Muslim representation in the Education Commission appointed a little earlier. Another commission was advocated to scrutinise the nature of Muslim endowments which existed for educational purposes. And in the light of the recommendations of this body the Act XX of 1863 should be amended.[11]

One of the steps prescribed for improving the administration

9. Ibid., paras. 20-22.

10. The Anglo-Indians.

11. Ibid., paras. 23-25. In para. 25 the memorial also prayed for the withdrawal of the order substituting the Nagari character for the Persian in the Bihar courts which was proving vexatious to the educated classes of all communities and had irritated the Muslims without satisfying the advocates of Hindi.

of Muslim law was the appointment of a number of Muslim judges qualified to expound their law. Another was the appointment of a Muslim judge to each Presidency high court, to the North Western Provinces high court and to the chief court of Lahore, to assist the European and Hindu judges in the proper application and interpretation of Muslim law.[12]

In an article written for an English journal in 1882[13] Ameer Ali repeated the main points of the memorial of the National Muhammadan Association and warned that 'unless effective measures of reform are adopted, and that without delay, the unsatisfactory condition of the Muhammadans threatens to become a source of anxiety and danger to British administration in India'. The English officials were as far from understanding the real feelings of the Indian Muslims as they had been fifty years ago. One new step that he suggested was the abolition of the purely vernacular schools and the application of the funds spent on them to the promotion of English and technical education.

In 1906 he bemoaned the political inanition from which the Muslims were suffering. Disintegration had overwhelmed the community because it was poor and out of touch with the currents of modern thought. They had no central organisation which could speak on their behalf and put their grievances and needs before the Government. This perhaps was welcome to the Government because 'to find one nationality not pressing its claims to an equal recognition of its rights is undoubtedly an advantage'. The Musalman was patted on the back for holding aloof from the political agitation and told 'to apply himself like a good boy to his books'; but when it came to practical treatment he was relegated to the cold shade of neglect. This could be explained by his lack of political influence. And Ameer Ali was convinced that 'the community which fails to grasp the political situation or lacks the vigour of "pushfulness" to claim its constitutional rights must, in the long run, go to the wall'.[14]

12. Ibid., para. 26.

13. Ameer Ali, "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882. See also his "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905.

14. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906. In this article he also gave a detailed reply to Sir

Soon afterwards when the Simla Deputation put the Indian Muslim demand before the Viceroy, Ameer Ali welcomed Lord Minto's reply to the Muslim address. It was not only a political pronouncement of the first importance but showed a clear appreciation by the Government of the existing situation. It also showed that 'the State begins to realise its responsibility towards the Musalman people and the unwisdom of overlooking their interests in the multiplicity of claims pressed upon its attention with unvarying persistency by more articulate sections of the Indian nationalities'. British officials had, 'within recent years', considerably altered their opinion of the Indian Muslims, who were now looked upon as 'one of the most loyal nationalities of India', in fact as one of the bulwarks of the British Empire. They now also felt that 'to neglect any longer a people which, by its self-control under the most trying circumstances, has shown itself worthy of help and support, would be equally unjust and impolitic'. In connection with the Muslim claim for a just share of government posts, Ameer Ali suggested that, as a first step, a complete and exaustive return should be called for showing the relative proportion of Muslim employees. Such a return should be periodically submitted to the Government of India and the Home Government. Heads of Departments should be instructed to deal personally with the applications and to see that allclasses received fair play. Vacancies should be announced in the provincial gazettes and local publications, in vernacular and English. He also gave his full support to the Muslim demand for separate and adequate representation in legislative councils and local bodies.[15]

Writing about the Indian unrest of 1905-11 he answered the Hindu agitators' allegation that the Government was bent upon supporting the Muslims. On the contrary, he said, the Government, in its dealings with the Muslims, had 'always subordinated considerations of equity to expediency'; in deference to Hindu feelings it had maintained an impartial attitude 'which had this

Ronald Wilson's criticism of his (Ameer Ali's) remarks on the *wakfs* and their use for educational advancement.

15. Ameer Ali, "Dawn of a New Policy in India", *Nineteenth Century and After*, November 1906 In support of the Simla Deputationists' assertion that Muslims were grossly under-represented in the service of the State, Ameer Ali gave facts and figures in this article.

peculiar quality that it often inclined the scale towards the majority'. The Hindu charge was a clever one as it would still more disincline the Government to show consideration to Muslim claims or Muslim worth, lest at this juncture it might be construed into favouring the Muslims. He advised the Muslims to be patient and self-restrained and look to the law of the land for redress of grievance and protection from annoyance. Though law was a game for the rich and they were not rich, yet 'it is impossible to suppose that, in spite of the volume of sound which drowns their claims, their voice will always remain unheard' [16]

In spite of all the Muslim grievances against the Government, Ameer Ali was certainly not among those who advocated the end of British rule. He realised that in a 'free India' Muslims would be completely crushed under the weight and prejudice of the Hindu majority. They knew, he declared, that their moral and social regeneration, their educational awakening, their material development depended upon the stability of British rule. 'The very circumstance that the British Government is non-Muslim, and is consequently obliged to maintain, in spite of a somewhat nervous dread of the so-called "orthodox" party, a neutral attitude towards the different sections' was a strong factor in the advancement of the people.[17]

At the same time he realised that the Muslim was not an adept in the art of 'ingratiating himself with the official classes'. Nor did he have the means of making himself heard in high places. The very fact that he stood aloof from political agitation had caused him a disservice. As a consequence 'preferment and honours rarely come his way'.[18] This put a greater responsibility on the Government, for the silent must not suffer merely because the others made a lot of noise. It was the duty of the statesman to reconcile conflicting aims and aspirations, to infuse harmony

16. Ameer Ali, "The Unrest in India---Its Meaning", *Nineteenth Century and After*, June 1907. For a similar appeal to the Muslims to associate themselves wholeheartedly in the maintenance of law and order see his presidential address to the All India Muslim League session at Delhi delivered on 29 January, 1910; *The Times*, 31 January, 1910.

17. Ameer Ali, "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905.

18. Ibid.

among discordant elements, to keep in view the ultimate fusion of two peoples, destined to live side by side. 'To override the claims of either, to allow the voice of the majority to stifle that of the minority, would be a mistake'.[19] It was true that the Indian National Congress had acquired a remarkable ascendancy in the counsels of Government, but in this it had been greatly assisted by outside help which had always been denied to the Muslims. This denial of sympathy and support to the Muslims was due 'as much to a bias against their religion as to the general lack of the talent to ingratiate themselves with people of influence, whether officials or travelling philanthropists'. India principally consisted of two distinct elements—'one strong in its number and the general intelligence, ability and political consciousness of its educated sections, the other virile, animated by those traditions of power and learning which impart backbone to a nation, equally intelligent but lacking the ready aptitude of adaptation and backward in the spirit of organisation and "pushfulness"'. In a country so made the Government had chosen 'to leave the less practically active element neglected and depressed'.[20]

19. Ameer Ali, "India and the New Parliament", *Nineteenth Century and After*, August 1906.

20. Ameer Ali, "Dawn of a New Policy in India", *ibid.*, November 1906.

Chapter 6

THE WORLD OF ISLAM

Concern for Muslim Countries

During the Turco-Italian war Ameer Ali became acutely conscious of a feeling which had always troubled his mind. Few could boast his mastery of knowledge in the fields of Muslim history and religion. None surpassed him in his attachment to Islam or his devotion to the Prophet. For many years now he had lived among Europeans and enjoyed unrivalled opportunities of observing their attitude towards Islam. Married to an Englishwoman, moving in highly educated English circles, with friends in many capitals of Europe, he was ideally placed to examine and record European reaction to Muslim movements. What he saw did not please him.

In spite of centuries of contact with it the Europeans, especially the English, had no understanding of Islam, no adequate knowledge of the working of the Muslim mind, no deep interest in the developments in Muslim countries. This indifference and ignorance was a source of much surprise and disappointment to him. It saddened his heart to find that 'European scholars and students do not study with the same degree of sympathy and interest the history of Islam as they do that of the Greeks and Romans'.[1] He tried to tell his English friends that there were 'special reasons for sympathy and friendship' between the English and the Musalmans. 'Christianity and Islam spring from a common stock; their ideas and standards are the same; the early traditions of the two

1. Ameer Ali, "The Muhammadans of India and their Place in the Empire", probably a lecture given in London in 1912 (Ameer Ali Papers).

faiths have a common origin. They are not divided by the great gulf which separates the non-Semitic from the Semitic systems'.[2]

Every European writer on Islam had given his own meaning to the term 'pan-Islamism'. Europeans usually, but wrongly, interpreted it as an intention of Muslim countries to unite *against* the West. In Muslim eyes pan-Islamism was mainly the name of a sentiment that Muslim countries must help one another in the face of a united Western attempt at subverting their independence. Ameer Ali was well aware of this misunderstanding in the West. On 10 January, 1912, speaking after a lecture on pan-Islamism by Professor D.S. Margoliouth at the Central Asian Society, he declared that it was a European invention to cover attacks upon Muslim States.[3]

Throughout his life he showed a genuine and deep concern for the welfare of Muslim countries. He wanted them to progress, to improve themselves, to gain and retain their independence and to win the respect of the world. In 1907, taking advantage of the occasion of the visit to India of the Amir of Afghanistan, he made a strong plea to the British Government to treat him (the Amir) more respectfully and fairly. He defended the Afghan character against English attacks and hoped that the future would bring better Anglo-Afghan relations.[4] The whole article constitutes a harsh criticism of British policy towards Afghanistan.

The Turco-Italian war and Italy's unprovoked attack on Tripoli shocked him. On 27 September, 1911, he wrote an angry letter to *The Times* saying that there was not the slightest excuse for the attempt by Italy 'to provoke a war of creeds and races by the spoliation of Turkey'. He appealed to 'every lover of peace and goodwill on earth' to protest, before it was too late, against 'this flagrant breach of all canons of international morality on the part of a nominally Christian country'.[5] On 9 October he again wrote to the journal and appealed to the

2. Ibid.
3. See *The Times*, 11 January 1912.
4. Ameer Ali, 'Afghanistan and its Ruler' *Nineteenth Century and After*, January 1907.
5. Ameer Ali, Letter to *The Times*, 28 September, 1911.

British conscience in these words: 'I am not singular in believing that the voice which has often spoken successfully against wrong doing and injustice can still make itself heard without resort to force'.[6] After three weeks he renewed his appeal: 'Surely the heart of England cannot be dead to the call of humanity at such deeds by a "Christian" nation. . . . Will not the Christian men and women of England, who cherish the noble ideals of their Faith, raise their voice against this reversion to the barbarism of bygone days'?[7] In November he protested against the use by *The Times*' correspondent in Tripoli of the word 'Moslem' in connection with the atrocities which he said he had witnessed at El Henni, and pointed out that no Musalman had given the Italian 'blood-lust' or 'military exigencies' the name of 'Christian' atrocities. He made a final appeal to the British nation 'to raise its united voice against the continuance of war to subjugate a people who have shown themselves so repugnant to submit to an alien race'.[8]

While Turkey was engaged in a mortal struggle against Italian and Balkan aggression, a plot to absorb Persia was being hatched by Britain and Russia. Ameer Ali could not remain silent about this. On 23 September, 1912, he wrote a stinging letter to *The Times* which had argued that the time had arrived for the revision of the Anglo-Russian Convention with a view to the virtual absorption of Persia. He reminded the journal that these two Powers—Britain and Russia—had, barely five years ago, solemnly undertaken to maintain Persian independence and integrity. Answering the usual British charge against Persia of her inability to rule herself, he asked the British public, 'has a fair and honest chance been allowed to that poor harried country to recover from the effects of the grinding tyranny of her late rulers, or to her distracted people to prove their capacity for government'? He recalled that the pressure for squeezing out the national life of

6. Ameer Ali, Letter to *The Times*, 11 October, 1911.

7. Ameer Ali, Leter to *The Times*, 1 November, 1911

8. Ameer Ali, Ltter to *The Times*, 1 December, 1911. See also his additional chapter on "Moslem Feeling" in Thomas Barclay, *The Turco-Italian War and Its Problems*, Constable, London, 1912, pp, 102-8.

the country and preventing her regeneration had been 'relentless, unceasing and persistent'. In reply to *The Times'* observation that England could not mould her policy to accord with the sentiments of the vast millions of Musalmans of the British Empire, he retorted, 'But I submit they are entitled to expect that the Empire to which they belong should extend to people and States of their faith the same measure of justice and protection that she is ready to accord to weaker Christian States'.[9]

The Muslims living in the British Empire, and specially those in India, were deeply worried about the future of Muslim countries like Turkey, Persia and Afghanistan, and they felt that their sentiments and opinions should not have been ignored or airily dismissed by the British Government. They often heard the Imperial Government claiming that their interests were being taken into consideration, but in actuality their wishes played no part in British policy towards these States. The change in Indian Muslim attitude after 1911 was rooted in this frustration. Ameer Ali, therefore, had facts on his side when he claimed to speak on behalf of the Muslims of the Empire against this double-faced British policy.

England had the greatest stake in the maintenance of peace in the Eastern world, and it was natural that her Musalman subjects should 'rely on her trusteeship of their most cherished interests and feelings to prevent injustice against unoffending Muslim nations'.[10] England did not realise that fully one-fourth of the vast population of the British Empire, amounting to no less than one hundred million, professed the same faith as the Turks; that their 'most cherished feelings' were involved in the maintenance of the prestige and power of the Sultan; and that 'every misfortune and injustice to Turkey is felt as a disaster to themselves'.[11]

Ameer Ali was not content with making verbal protests on the political level. The most useful, practical and humanitarian step

9. Ameer Ali, Letter to *The Times*, 26 September, 1912.

10. Ameer Ali, "Additional Chapter" in Thomas Barclay, *op. cit.*, pp. 102-8.

11. Ameer Ali, Letter to *The Times*, 24 October, 1912.

he took to relieve the misery of the Muslims under attack from the Western powers was to establish the Red Crescent Society. As the British Red Cross would give no help to the sick and distressed Turkish soldiers and civilians in Tripoli, some English sympathisers formed an independent organisation to give succour to the sick, the wounded and the starving. It was styled the British Red Crescent Society. Its original committee was composed of twelve members and Ameer Ali was elected president. He was in charge of constituting the units and dispatching relief. The British foreign office provided facilities and French authorities in North Africa were civil and helpful. The first field hospital, under Captain Dixon Johnson, left London on 14 January, 1912. On 17 October of the same year the first mission was sent to Constantinople; it was followed by a second one within a fortnight. On 23 January, 1913, a full-fledged hospital was opened by the Society at San Stefano. A soup kitchen was started at Constantinople which fed 7,000 persons every day.[12]

There were at least three branches of the Society in India.[13] By April 1912 the Society had collected nearly £ 5,000, but £ 4,504 of this had come from the Muslims of India.[14] By December donations had totalled £ 17,510.[15]

Turkey and the Khilafat

Twice in his life Ameer Ali fought and won a gallant fight against British prejudice and official obduracy. Once it was during the making of the Morley-Minto reforms when he had to struggle hard to get Morley round to the Muslim view of separate electorates. The second was during the Indian Khilafat

12. This brief account is based on Ameer Ali's "Memoirs" which give full detail. Mr. A. S. Anik, treasurer to the London Muslim League, was honorary treasurer to the Red Crescent Society. See "An Appeal for Help from the British Red Crescent Society" by Ameer Ali in *The Times*, 5 November, 1912. Kazim Husain was honorary secretary to the Society, *The Times*, 11 October, 1912.

13. At Lucknow, Bombay and Chittagong. *The Times*, 16 December, 1912.

14. Ameer Ali, Letter to *The Times*, 8 April, 1912.

15. *The Times*, 16 December, 1912.

movement when he was up against Lloyd George's anti-Turk animus and general British hostility to Turkey. Each time the odds were heavy; each time his victory was conclusive.

His first article on Khilafat was published in *Contemporary Review* in the summer of 1915.[16] It aimed at acquainting the Western reading public with the history, nature and influence of the institution. Realising that Turkey's entry in the war would one day make her future subject to the decision of the British and allied governments, he was anxious to inform their public about the influence of the Khilafat on national sentiment and character. After enumerating the Muslim population of various areas of the world, he described in detail the Sunni and Shia views on Khilafat. Then he proceeded to explain how a Khalifa was appointed and inducted into office. This was followed by a short history of the Ottoman Khilafat. He concluded by expressing his belief that 'it would be far more conducive to the well-being of the great communities in whose pacific development England, France and Russia are interested, to preserve intact the prestige and influence of this sacred institution than to allow it to be thrown into the melting-pot of intestinal discord and schismatic strife'.

Much about the Khilafat was then being said in England which was misleading or biased or based on ignorance. When the *Nation* published an article by Sir Edwin Pears on "The Arab Revolt", Ameer Ali took the opportunity of not only correcting some of Sir Edwin's statements but also of making the general observation that 'considering the disquietude prevailing on the subject of the Caliphate, which it would be folly to deny, among the vast Sunni population subject to the King, I venture to think that it would be in the interests of the Empire if non-Muslims and non-Sunnis follow the example of the Government and abstain from publicly discussing that somewhat delicate question'.[17]

16. Ameer Ali, "The Caliphate. A Historical and Juridical Sketch", *Contemporary Review*, June 1915, pp. 681-94.

17. Sir Edwin Pear's article was published in the *Nation* on 1 July, 1916; Ameer Ali's letter, from which this quotation is taken, appeared in the issue of 8 July, 1916.

Six years later he was again to complain of British ignorance on the subject when, in a bitter letter to *The Times* on E. S. Montagu's resignation, he wrote, 'It might be better for the Empire if those who wish to control or guide the destinies of other nations were to acquaint themselves with the laws and institutions of those people.'[18]

It was towards the end of the war that the Turkish problem arose in its full gravity and significance. Directly after the armistice the future of Constantinople was a burning issue, and English newspapers and journals were replete with letters, articles and editorials advocating its seizure and occupation. All political parties were united in making life for the Turks as hard as possible.[19] In this atmosphere reeking of hostility and bias Ameer Ali stood alone as the defender of his faith and the protector of Turkey. In a spate of letters to the quality press of Britain and in articles for learned journals he made a case for a sober and objective study of the problem, for shedding old animosities and the bitter memories of the war, for trying to understand the importance of the Khilafat for the world of Islam, and for doing justice to Turkey.

He explained that the Muslims of the world regarded Constantinople as the 'City of Islam'—*Islambol*. The Turks held it as trustees for the world of Islam. 'It was hallowed by memorials of their faith during four long centuries.' To wrest it from them and to hand it to any other people would be an outrage.[20]

In June 1919, in co-operation with the Aga Khan, he wrote a lengthy letter to *The Times* on the terms on which peace with Turkey should be made.[21] It would be a real calamity, they said, if the Muslim community in India stood aloof from the projected constitutional reforms in sullen bitterness, a result that would be inevitable if their wishes on Turkey were unfulfilled. The pledge given by the Prime Minister should be maintained and the Sultan

18. Ameer Ali, Letter to *The Times*, 14 March, 1922.

19. For the state of British public opinion on this issue, see my *Britain and Muslim India*, London, 1963, chapter 7.

20. Ameer Ali, Letter to *The Times*, 27 November, 1918.

21. Ameer Ali and the Aga Khan, Letter to *The Times*, 6 June, 1919.

of Turkey, as the Khalifa of the Muslim world, should be left 'in absolute possession' of Constantinople, Thrace and Asia Minor—a region which Lloyd George himself had called 'predominantly Turkish in race'. To wrench any portion of this tract from Turkey to satisfy the ambitions of any other people would be 'a cruel act of injustice'; if this were done seeds of constant wars would be sown, the effect of which could not be expected to remain confined to the country where they happened to be waged. Turkey had already been sufficiently punished for her part in the war by the 'secular expropriation' of some of her fairest portions; but the maintenance of the Sultan's spiritual suzerainty in those countries would not only maintain his prestige and conciliate Muslim feeling but also make the position of the Muslim rulers and governors of those countries unimpugnable. In conclusion they hoped that the Afghan outbreak would not be used by the Government as a pretext for avoiding the fulfilment of the Prime Minister's pledge or the due consideration of the feelings and sentiments of the Musalman people. The eruption on the north-west frontier had not deterred Montagu from carrying out his promise to India; it should not stop Lloyd George from doing what was dictated by policy as well as humanity—simple justice.

In August the two leaders again wrote to *The Times*,[22] briefly explaining the memorial that the Indian leaders had a little earlier submitted to the Prime Minister and repeating their call for justice and faiplay. They reminded the British public that ever since 1802 the Musalman element had been the most steadfast in India. And, now, to appease the ambitions and "earth-hunger" of certain nationalities whose help in this war can hardly be compared with the sacrifices the Musalman soldiers brought to the cause of England, we have turned their devotion, to put it mildly, to something akin to bitterment'. The Indian Muslim feeling in regard to Turkey was a living and universal sentiment and must be counted as a factor in practical politics'. Is it wise, is it statesmanlike, to treat this living sentiment in the way, we are told, the Peace Conference proposes to do ?

In November 1920 a petition was presented to the Assembly

22. Ameer Ali and the Aga Khan, Letter to *The Times*, 2 August, 1919.

of the League of Nations in favour of a review of the Treaty of Sevres. In "A plea and Protest" issued by some of the signatories to the petition, of whom Ameer Ali was one, it was explained that the Treaty 'pressed too hardly upon Turkey, and, by its unfairness to a Muslim State, had aroused Muslim sentiment against Great Britain'.[23]

Early in the August of 1922 Lloyd George, whose hostility to Turkey was matched only by his love for the Greeks, made a strong speech denouncing the Turks and promising them dire punishment. This gave Ameer Ali another opportunity of arguing the Muslim case in public.[24] He commended *The Times* for forcibly repudiating the Prime Minister's sentiments and hoped that the editorial would have a moderating effect in the Muslim world, as it would show that England as a whole did not endorse his views. Still, he feared, Lloyd George's 'eulogium' on the achievements of the Greek army and his unmeasured denunciation of the Turks would 'rekindle the furious indignation among the King's Muslim subjects with British policy towards Turkey'. Must all consideration of Muslim wishes be ruled out simply to satisfy the vaulting ambitions of King Constantine? 'The German crime has been condoned; so have the murders of British and French soldiers and sailors in the Piraens in 1916; so has the attempt to hand over the Greek army to the Kaiser's generals. Does it answer any useful purpose to dwell constantly on the culpability of Turkey in joining the war? It only helps to keep alive hatred and vengeful feelings'. The whole world was crying out for peace. In Asia Minor many thousands of Muslims, fleeing from massacres, were dying in exile from starvation, thousands of homes lay desolated, numberless farms and villages lay untilled and uninhabited; and mosques, shrines and colleges destroyed in hundreds told the story of

23. *The Times*, 27 November, 1920. Among the signatories were the Aga Khan, Sir M.M. Bhownaggree, Ameer Ali, Lord Lamington, Lord Parmoor, Lord Abingdon, Lord Oxford, Aubrey Herbert, M.P., J.M. Kenworthy, M.P., Ramsay Macdonald, Miss M.E. Durham, H.N. Brailsford, Sir Theodore Morison, Coles Pasha and Sir Graham Bower.

24. Ameer Ali, Letter to *The Times*, 18 August, 1922. This letter was written on 10 August. The leader referred to by Ameer Ali appeared in the issue of 5 August.

reckless vandalism. Three major considerations demanded a just treatment of Turkey: the need for reconciliation of the Indian Muslims; the necessity of bringing peace to a harried country; and the requirement of devising a bulwark against the Red danger from the North. The Prime Minister was trying to restore peace in Europe. Was it too much to hope that he would devote a fraction of his labours to the establishment of peace in the East?

It seems as if Ameer Ali's letters to *The Times* and Lloyd George's unbridled expression of his anti-Turk sentiment alternated with each other. Shortly after the publication of the above letter the Prime Minister delivered a forcible speech in Manchester vindicating his policy and charging all those who spoke in favour of a fair solution in Turkey, particularly the Indian Muslim leaders, with insincerity and mischievous intent. Ameer Ali at once complained[25] that while much was being made of 'massacres' allegedly perpetrated by the Turks, there was not a single word of condemnation of the horrors let loose by the Greeks. Women and children had been driven into mosques and other buildings, and then set on fire. Villages and towns were reduced to ashes. Homes were desecrated. The restraint and discipline of the Turkish army in the face of this havoc and slaughter were not even acknowledged. Old crimes by individuals were raked up to intensify the hatred against a nation which had just achieved its liberation, while recent horrors committed against it were passed over in silence. 'Mr. Lloyd George evidently believes the Eastern Christian to be incapable of committing a crime; he has passed unread all the evidence from the Carnegie Commission up to the present reports by American, British and French correspondents'. He should not forget, even in the flush of his triumphant mood, that he was the head of an empire which contained millions of the followers of Islam and that the introduction of the 'sword' into speeches was a dangerous pastime.

The official British policy against which Ameer Ali was protesting was, in a real and personal sense, the policy of the Prime Minister. He had an unbounded zeal for the Greek cause and a deep hatred for the Turk. In this he had the loyal support of

25. Ameer Ali, Letter to *The Times*, 17 October, 1922.

some of his colleagues (mostly Conservatives) in the Cabinet. But the Secretary of State for India, Edwin Montagu, was an equally strong-willed upholder of diametrically opposed views. He believed in the justice of the Indian Khilafat movement, he wanted Turkey to be fairly treated, and he was prepared to go to any length in supporting the views of the Government of India. His determination not to follow Lloyd George in his Greek adventure soon led to a clash.

In India the Viceroy, Lord Reading, supported the central Muslim demands with regard to Turkey. Deterioration of Greco-Turkish relations in 1922 worsened the situation in India and Indian Muslim opinion was inflamed. Reading was so seriously alarmed that, on 28 February, 1922, he sent a despatch to Montagu making a formal request by the Government of India for a revision of the Treaty of Sevres. Three specific demands of the Muslims were unreservedly supported: the evacuation of Constantinople, suzerainty of the Sultan over the holy places, and restoration of Ottoman Thrace (including Adrianople) and Smyrna. The Viceroy called these Muslim India's 'just and equitable aspirations', and urged their immediate fulfilment.[26] In this he was supported by all his provincial governors and ministers and all senior civil service advisers. Seeking permission to publish this despatch he said that it was his duty to warn Britain of the immense danger of failing to placate reasonable and friendly Muslim opinion.[27]

This telegram reached Montagu on 1 March. On the same day he sent it to be circulated to the Cabinet. Actually it was circulated on 3 March. On 4 March, a Saturday, when he was in the country, he received another telegram pressing for an immediate reply. On this he authorised publication without consulting his colleagues. He did this for two reasons: consultation was unnecessary as the views of the Government of India had now been known for many months, and an early Cabinet meeting was not expected. On Monday, 6 March, on his return to India Office, he sent a further telegram in amplification of his authority to publish. But he did

26. See *The Times*, 9 March, 1922.

27. Marquess of Reading, *Rufus Isaacs: First Marquess of Reading* (London, 1954), Vol. II, p. 223.

not circulate these two cables of 4 and 6 March to any of his colleagues. On 9 March the Prime Minister returned to work, read the telegrams in the press, at once sent for Montagu and called for his resignation. The resignation was tendered and accepted on the same day.[28]

Lloyd George claimed that Montagu had flouted the doctrine of the collective responsibility of the Cabinet by giving sanction without consulting his colleagues. This was a technical matter. A constitutional convention had been broken and the culprit was punished. But Montagu believed, and many others shared his belief, that his forced resignation was caused by political considerations. He had been made to pay the ultimate penalty of political extinction because he had dared to oppose the Prime Minister's Eastern policy.[29] This is fully confirmed by a letter written by Lord Reading from India to Montagu on 30 March, in which the Viceroy revealed: 'The Government at home have made it plain that they find no fault with the Government of India's action . . . from private telegrams which I have permission to publish, but have not published, the Government at home have accepted the Government of India's action and my actions as legitimate'.[30]

Montagu's virtual dismissal caused an uproar in India. Ameer Ali, in a letter to *The Times*,[31] written on 13 March, believed that he (Montagu) had been sacrificed for his unswerving adherence to what he considered to be the right policy. In an indirect riposte to Lloyd George's charge that Indian Muslims were trying to put pressure on the British Government through the Government of India, he wrote brusquely: 'The talk that Indian Muhammadans are trying to "dictate" British policy or to "intimidate" his

28. The sequence of events is taken from S.D. Waley, *Edwin Montagu: A Memoir and an Account of his Visits to India* (London, 1964), pp. 272-4.

29. For Montagu's explanation see his speech of 11 March before his constituents in Cambridge, *The Times*, 13 March, 1922, and his speech of 15 March in the House of Commons.

30. This letter is for the first time published in S. D. Waley, op. cit., p. 281.

31. Ameer Ali, Letter to *The Times*, 14 March, 1922.

Majesty's Government is sheer nonsense. 'Like other subjects of the King, they had the fullest right to communicate their views on an aspect of the imperial policy which affected them. The Viceroy and his advisers were fully justified in the course they took.

By the end of 1922 Ameer Ali's thoughts were slowly turning from the maintenance of the Khilafat to its future. A wind of change was blowing in Turkey and whifs of its must have reached him in London. He realised that 'untrammelled powers in the hands of Caliphs and Sultans, just as much as in the hands of Czars and Kaisers, have been the cause of untold evils', and saw some justification for Turkey's aspirations 'to enter the comity of free nations on the basis of common rights and common duties'. Nor did law and tradition fail to uphold her desire to make the office of the Khalifa dependent on the voice of the people. It was for the Turkish National Assembly to consider whether or not some temporal duties should remain attached to the Khilafat.[32]

Within twelve months, however, the breach between Ameer Ali and the rejuvenated Turkey was complete. On 24 November, 1923, he and the Aga Khan wrote a letter to Ismet Pasha, the Prime Minister of Turkey, urging that 'the religious headship of the Sunni world should be maintained intact in accordance with the *Shariyyet*'. 'In our opinion any diminution in the prestige of the Caliph or the elimination of the Caliphate as a religious factor from the Turkish body politic would mean the disintegration of Islam and its practical disappearance as a moral force in the world'. For fourteen hundred years it had been the cardinal principle of the *Ahl-i-Sunnat*, and on this was the *Ijmaa-i-Ummat*, that the Khalifa, the vicegerent of the Prophet, was the Imam of the Sunni congregations, and that between him and the general body of worshippers there was a nexus which knitted together the *Ahl-i-Sunnat*. 'This mystical element cannot be eradicated from the Muslim mind without creating discord in the world of Islam'. As true friends of Turkey the two leaders concluded their letter by

32. Ameer Ali, Letter to *The Times*, reproduced in *Civil and Military Gazette* of 26 November, 1922. The date on which it appeared in London is not mentioned by the Lahore paper.

making an appeal for maintaining the religious and moral solidarity of Islam 'by placing the Caliph-Imamate on a basis which would command the confidence and esteem of the Muslim nations, and thus impart to the Turkish State unique strength and dignity'.[33]

This letter had a most unfortunate sequence. Copies of it were simultaneously sent to leading Turkish newspapers of Constantinople (most of which were then opposed to the Angora Government) without any intimation that it was not an open letter. The document was immediately published by several newspapers, and the Turkish Prime Minister read it in the press before the original was put before him. It appears that the original reached the Ministry of Foreign Affairs at the same time as the editors received their copies; but the letter was written in English and had to be referred to the translation department of the Foreign Office. The Government translator took longer on his job than did his counterpart in the newspaper office.[34] This efficiency and speed of the press were, in this case, an unfortunate accident, but the damage was done.

On 8 December, on a motion by Ismet Pasha, the Grand National Assembly decided in a secret sitting to establish a special 'Tribunal of Independence', before which were brought the editors of the three newspapers which had published the offending letter—Husain Jahyad Bey of the *Taneen*, Velid Bey Ebuz-Ziya of the *Tevhid-i-Efkyar*, and Ahmed Jevdet Bey of the *Iqdam*. They were, however, acquitted on 2 January of the following year.[35]

When, on 13 December, Ameer Ali sent the text of this letter to the British press for publication, he declared in a covering letter that he and the Aga Khan had not the slightest desire 'to

33. Ameer Ali (and the Aga Khan). *Letter to His Excellency Ghazi Ismet Pasha, Prime Minister of Turkey*, published in *The Times*, 14 December, 1923.

34. This is the version given by A. J. Toynbee, *Survey of International Affairs, 1925, Vol. I: The Islamic World since the Peace Settlement* (London, 1927), pp. 56-9. But he seems to have overlooked Ameer Ali's letter to *The Times* of 15 December, 1923 (published on 17 December), in which he clearly stated that 'our letter to Ismet Pasha was dispatched registered to Angora nearly a week before copies were sent to the Constantinople paper'.

35. A. J. Toynbee, op. cit.

hamper in any way the established Government of Turkey', that they denied 'emphatically and indignantly' any wish on their part to interfere in the politics of Turkey or to have any association with any of her parties or factions. 'Such counsel, coming from two consistent friends of Turkey, who had proved their sympathy with Turkish aspirations during a long period of trial and strength, should not have been misconstrued. Personally I greatly resent the imputation.'[36]

Ghazi Ismet Pasha's reaction to the letter was one of unconcealed anger. In a harshly-worded statement, given to a special correspondent of *The Times* in Angora, he said that the Aga Khan and Ameer Ali were foreigners, and therefore incompetent to discuss the constitution of Turkey. They were also Shias and, therefore, disqualified to pontify on Sunni institutions.[37]

One can understand Ismet Pasha's outburst without justifying it. The Turks were yet not fully out of the wood. There was danger of internal strife. On some points the liberal-cum-military leadership and the old-fashioned masses did not agree. In these conditions it was easy to construe any extraneous counsel, however well intentioned, as an act of unwarranted impudence and to exaggerate its supposed dangers. But what is difficult to appreciate is the unmeasured tone of the Prime Minister's public criticism, which took no notice of Ameer Ali's and the Aga Khan's strenuous and passionate defence of Turkish interests over the last five years. Ismet Pasha was not unaware of the sacrifices the Indian Khilafat leaders had cheerfully made for the sake of his country. He knew that they had courted arrest, had languished in prison for long years and had suffered much in the anti-British campaign which had swept India when the future of Turkey was in jeopardy. To attack the motives of men like Ameer Ali and the Aga Khan was not only an act of folly but also one of discourtesy. It was reported that at that time there was a general impression in Turkey that the authors of the letter had been instigated by the British Government which was anxious to

36. Ameer Ali, Letter to *The Times*, 14 December, 1923.

37. Ismet Pasha's statement was published in full by *The Times* on 29 December, 1923.

see the Republican Government overthrown and the old Ottoman dynasty restored to power. No evidence in support of this has yet turned up, and for a man of Ismet Pasha's intelligence and experience to give credence to such rumours, and to base his denunciation on them, means that blind passion had superseded prudence. For the Indian leaders it was not unnatural to be appalled at Turkish ingratitude.

But the worse was yet to come. On 27 February, 1924, Vasyf Bey moved in the Turkish Grand Assembly that the Khilafat be abolished. On 1 March Mustafa Kamal supported this proposal in the Assembly in general terms. On 2 March the proposal was endorsed at a meeting of the People's Party. On 3 March it was adopted by the Grand National Assembly.[38] Sultan Abdul Majid was officially informed of the new law on the same day and was, at the same time, ordered to leave Turkish territory during the night of 3-4 March[39] (though Article 3 of the law granted ten days of grace). At dawn on 4 March the last Khalifat-ul-Muslamin left Constantinople with a son, a daughter and two wives.[40]

The banished and forlorn family arrived at Territet in Switzerland on 7 March.[41] On 11 March the ex-Sultan issued an appeal to the Islamic world arguing that in abolishing his office the Turkish National Assembly had exceeded its powers, that the people of the world of Islam should have the final word in the matter, and that he intended to call an Islamic Congress for this purpose.[42] The only immediate result of this pronouncement was a protest from the Government of Switzerland that his action in making this statement was inconsistent with the conditions on which he had been granted asylum in the country. From that

38. "Turkish Law concerning the Abolition of the Caliphate and the Banishment of the Members of the Ottoman Imperial Family from the Territories of the Republic of Turkey," full text (English translation) in A.J. Toynbee, *op. cit.*, p. 575.

39. For the order of expulsion see *The Times*, 5 March, 1924.

40. For a description of his departure from Constantinople see *ibid.*, 6 March, 1924.

41. His arrival in Switzerland was covered by *ibid.*, 8 March, 1924.

42. No English version of his statement was published in full. For French text see *Le Temps* (Paris), 13 March, 1924.

moment onwards the last Khalifa of Islam and the last monarch of the Ottoman Empire went into oblivion and only a few curious kept track of his movements.[43]

The news of the abolition of the Khilafat stunned Muslim India. The Khilafat was the essence of Islam and its disappearance was a tragedy of the greatest magnitude. The Turks had acted irreligiously. Such people, who wanted to break the ties of Islam in exchange for Europe's recognition of their 'progressiveness,' deserved no sympathy. The anguish was the greater because the blow to Islam was struck by its own historic champions.[44] The Khilafat leaders writhed with rage and shame. Had they sacrificed their everything for this end? Had they led their people to a cruel mirage? Had Islam come to such a pass that one country could have the temerity of abolishing an institution which belonged to the whole world? Had they fought the British, opposed the French and annoyed the Arabs so that at the end the Turks could make the Indian Khilafat movement a laughing stock throughout the Western and the Arab worlds?

The abolition of the Khilafat marked the end of the Khilafat movement in India. References to Turkey, to the institution of Khilafat and to the Jazirat-ul-Arab continued to be made in later speeches and resolutions, but the Turkish decree had presented the Indian Muslims with a *fait accompli* from which there was no running away. They were deeply estranged from the Turks, and Muslim India then turned to the Wahabi ruler of Arabia for inspiration and for the protection of Islam.

Ameer Ali was shocked by the Turk action. In his opinion the abolition was 'a disaster both to Islam and to civilization.' He was convinced that the suppression of this 'time-honoured institution,' which had been a symbol of Islamic unity for the entire Muslim world, would cause the 'disintegration of Islam as a moral force.' He feared that it would 'drive the unadvanced and semi-civilized peoples included in the vast Sunni following into the

43. As from 1 July, 1924, he accepted a pension of £ 300 a month from the Nizam of Hyderabad. See *The Times*, 23 June and 14 July, 1924.

44. Maulana Muhammad Ali's speech at Aligarh of 8 March, 1924, *Civil and Military Gazette*, 11 March, 1924.

ranks of revolution and disorder.' He had grave doubts if a national body—he meant the Turkish Grand National Assembly—had the power 'to abolish a spiritual office which has, under the religious laws of Islam and by the recognition of fourteen centuries, become an integral part of the religious institutions of the Sunni communion.'[45]

The arrogation by Turkey to abolish a fundamental institution of Islam was, in his eyes, the greatest tragedy within the preceding seven hundred years. It meant the disruption of Islamic unity, the disintegration of Islam as a moral force, and the forfeiture of Turkey's primacy among Muslim nations. The Khilafat was not the property of any single State. It was not a national institution. Khalifa Abdul Majid was duly elected to the office when Sultan Wahid-ud-Din had fled from Constantinople. The deputies who had been sent from Angora to attend his installation had performed the *bai'at*. The *khutba* was read in his name in all the mosques in India and elsewhere. How could this oath be forsworn? Anyhow, until any breach of the religious law could be proved against him and until he was deposed by the general consensus of the Sunni congregation he was still the lawful Khalifa. Those in power in Turkey were free to alter the way of life of their people; they could even abjure religion if they chose. But they could not alter the constitution of Islam or make any change likely to affect other Muslim nations.[46]

45. This statement was issued by Ameer Ali as the news of the Turkish decision reached him. Full text in *The Times*, 5 March, 1924.

46. Ameer Ali, "A Note on the So-called 'Abolition of the Caliphate.'" (Ameer Ali Papers) A version of this was published in the *Pioneer* on 9 April, 1924. I have followed the original text which is in my possession.

Chapter 7

IMPERIALISM AND CIVILIZATION

The Nature of Imperialism

In view of Ameer Ali's general reputation as an incorrigible 'loyalist' it is necessary to examine his views on imperialism and its impact on the colonial peoples. Of all his writings perhaps the most exciting and intellectually the most stirring is the article on "Anomalies of Civilization: A Peril to India" which he wrote for the *Nineteenth Century and After* in the spring of 1908. Here he analysed the future relations between the East and the West in the light of their nexus of imperialism and studied in some detail the impact of the West on the cultural *milieu* of the East. The whole article deserves careful attention, and what follows is a summary of his argument.[1]

He begins by stating that the East-West relationship has created a movement which the militant sections of the Western world regard with the fear which overtakes all monopolists on the least appearance of competition. All signs of progress are labelled 'unrest,' and a call goes out to all European nations to close up their ranks in order to check the spirit of the age from doing its work in the East. The same sentiment which is given an honourable name in one continent is condemned in another. Expressions carried from the West to the East either lose their significance or undergo a sea change. What Europe calls 'patriotism' becomes 'fanaticism' in Asia and Africa. The desire for development

1. Ameer Ali, "Anomalies of Civilization: A Peril to India," *Nineteenth Century and After*, April 1908. As I have paraphrased Ameer Ali there are no quotation marks in this section. It should be remembered that it was written at a time when political unrest was rampant in India and when European treatment of Africans in Africa was for the first time being criticised.

changes its name to 'restlessness.' Even in the West itself terms change their meanings and their moral implications. Once 'spread-eagleism' was used as a word of ridicule implying ethical condemnation. Now 'imperialism' has become a respectable and honourable word—almost a holy word sanctifying crusades against the liberty of weaker States. Nor is 'imperialism' inconsistent with 'republicanism;' for we find Britain and the United States and France (the latter two being 'republics') equally following the policy of appropriating vast territories in every part of the globe.

There was a time when religion was made an excuse for practising imperialism. And it must have been in the name of God and Jesus that, in the words of an American, 'Spain set up more crosses in more lands, beneath more skies, and under them butchered more people than all the nations on earth combined'. Today other pretexts are in vogue: religion has been replaced with 'Western civilization,' the Gospel with 'the white man's burden,' and evangelisation with trade. Today people are not converted; they are civilized. Civilization comes to the people of the East in the shape of trousers and top-hats, drink and disease, infant murder and prostitution. For the champions of Western civilization it is a primary article of faith that, whatever happens in the kingdom of heaven, the kingdom of earth is for the white skin.

The highest races of India compare favourably with many nationalities which are ordinarily regarded as civilized. Modern education has brought many of them into line with the foremost ranks of culture in the Western world. When these Indians—who are as a rule well conducted, sober, thrifty and law-abiding—go to British colonies, 'civilization' meets them at the threshold and brands them as members of an inferior race.[2] Thus the Colonial

2. Perhaps under Ameer Ali's influence the London Muslim League repeatedly protested against this maltreatment. In January 1910 Zahur Ahmad, the League's honorary secretary, sent a letter to the Under Secretary of State for the Colonies about the treatment of Indian Muslims in Transvaal; see *The Times*, 15 January, 1910. In October 1910, the League submitted a memorandum to the same minister regarding 'certain disabilities imposed of late upon Indians in British East Africa'; for details see *The Times*, 18 October, 1910. A month later the League submitted to the Secretary of State for the Colonies a general survey of the problem of the position and treatment of British Indians in the overseas Dominions of the Crown; for a summary of the survey see *The Times*, 17 November, 1910.

has taken a leaf out of the book of the first Hindu lawgiver, Manu. It is strange that the subjects of a common sovereign should be denied the ordinary privileges of fair, generous and considerate treatment; and it is still more strange that the Colonial Office should be helpless in dealing with the problem. Does it not convey to the maltreated Indians the conviction that the only way to improve their status and gain their self-respect is to agitate for self-government? What else can they do in face of the insults and humiliations to which they are subjected and the failure of the Imperial Government to protect them? Such treatment of Indians in South Africa, Canada and other self-governing parts of the Empire is a sad commentary on the methods of civilised government, on an Empire which professes equal rights for all races and creeds under its sway. Indians have begun to compare the policy of the British Government in this field with that of other States and to draw their own conclusions. British policy in East Africa has the same unfortunate features.

One would have thought that with the spread of civilization and a higher concept of humanity and justice, European communities would evince greater toleration and accord a larger recognition to the rights of weaker nationalities. The desire to seize upon the most favoured spots of God's creation in every part of the habitable globe and prevent others from coming in can hardly be regarded as a commendable characteristic. To place the claims of special communities before those of humanity at large is neither a Christian trait nor a civilized habit. Some Europeans may argue that they should be allowed to flourish and multiply in new possessions (which do not belong to them) without the intrusion of the Asiatics. To this the Asiatics may well retort that the intrusion of Europeans has an unwholesome and demoralising effect on their social systems.

The assertion that Europeans are the 'trustees' for the black races is indeed full of humour. In its dealings with the weak the Western civilization makes its own interests the standard of the gospel it preaches to the world. It requires that the conditions of slavery should become more or less perpetuated for its benefit. When we come to examine it the 'white man's burden' is found to be extremely light. The burden is only nominally on the

shoulders of the white man; in fact its weight is transferred to those whose labours are exploited for his enrichment and comfort. The galley and the scourge have disappeared; the taskmaster still flourishes, and modern ingenuity has armed him with new instruments of punishment. The names are changed, the substance remains.

The fearful havoc caused by the work of 'civilizing' the backward races is everywhere. In the German East Africa 75,000 natives perished of hunger and war in the year 1907. Civilization has driven the Red Indians into reservations where they are fast disappearing. Civilization has decimated the fine races of Polynesia and Maoriland.

Intermixture of ideas where intermixture of races is not possible acts as a solvent to the ignorance and prejudices of both. To think of impressing European civilization on the country, and not to enter into the feelings of the inhabitants; of promoting their welfare without attempting to reach their hearts; to talk of Western culture and its requirements and not to understand the virtues or idiosyncrasies of those among whom it is sought to be introduced; to condemn Oriental ways and yet to perpetuate in public life the methods which are deprecated in Oriental governments, is mere waste of energy. At no period in the world's history has there been so much talk about international peace with such ill-disguised preparation for war; so many protestations about and yet such unashamed contempt for the rights of weaker nations; such high appreciation of 'civilized' morals with such flagrant disregard for the dictates of ordinary morality.

In the United States of America graft—the Penal Code of India calls it by its real name, 'illegal gratification'—has become a science. The art of manipulating justice and politics has been carried to perfection. Rules of mutual trust and fidelity are sacrificed to the pursuit of wealth. Racial riots are manufactured. All this is little calculated to commend 'civilization' to less advanced communities, while it is hardly possible for its missionaries to speak to the outside world with the earnestness of conviction in the new gospel that is sometimes assumed towards followers of other cultures.

The ordinary Western mind has rather a vague conception of

the East. To exercise a stimulating effect on Eastern thought, the Western world must learn to cultivate a spirit of toleration, to understand the genius of the nations among whom it seeks to work. Above all it has to realise not only the conditions of society that have led to the evolution of particular ethical and social systems, but also its own limitations. The difference in the standpoints of Europe and Asia about social conventions and duties of life makes it essential that in endeavouring to introduce Western civilization among Eastern communities their ethical standards should be raised and not lowered. So far the tendency has been in the contrary direction. Wherever the West has obtruded itself the result has been the same—deterioration of morals, destruction of the old standards of right and wrong which imparted strength and character to the races, spread of drunkenness. The 'requirements of Western civilization' often lead to sinister consequences. A nation bent on secularising its own institutions has little regard for the old ideas of other communities. The traditional conventions of morality make room for borrowed standards and modes of life. The code of morals sanctioned by religion is made out to be old-fashioned and antiquated. An imported taste in art and architecture gives a bizarre turn to the national genius.[3] Europe is not prepared to listen to any protests from the people who are the targests of this civilizing process.

The conclusion: every lover of humanity must recognise the blessings which modern civilization has brought to the world; but it will be sheer self-deception to shut one's eyes to the ills to which it has given birth or which it has intensified, to the hypocrisy of a great part of modern life, to the relegation of national and individual duties to the background in favour of a hollow show and pretensions, above all to the apotheosis of money and power.[4]

A little earlier Ameer Ali had cast a brief look at the specific

3. The reader will notice how closely this description corresponds to the present-day Pakistan society, with the significant difference, however, that today the missionaries of Western civilization are not Western imperialists but our own highly Westernised elite.

4. The argument contained in Ameer Ali's "Anomalies of Civilization" ends here.

case of the impact of Western civilisation on India. He countered the usual Western charge that the Oriental always hid his thoughts behind a veil by reminding the British that the Indian's 'plane of thought is not the same as that of an Englishman'. The difference was caused by environment and upbringing. Another source of misunderstanding was the fact that if an Indian was independent of mind or character he was a *persona non grata* with the official world. He knew this and therefore counted 'mental invertebrateness' a virtue. He tried to say what was pleasant and nothing more. It was only in this sense that his mind was behind a veil.

More generally, the superimposition of the 'utilitarian and not very altruistic civilisation of the West' on the Indian civilisation had given birth to some anomalies. The diffusion of Western ideas had really been an effort 'to Christianise, Europeanise, modernise' Indian thought and Indian life. The outcome was partly a success, partly a failure. But the point was that at a time when the labour of several generations had begun to bear fruit the British themselves viewed the result with 'surprise mixed with resentment'. The British had produced a new national spirit, a new social consciousness, and a new stirring of the mind; but had denied all legitimate outlets for the aspirations born of the working of the new spirit. The inevitable result was discontent. This process could also be described in another way. First the British invited the Indians to cultivate self-respect, manliness, independence of character and originality of thought (qualities which they were alleged to lack), but when some Indians had attained these desirable traits it was precisely this class which was branded as 'extremists' and condemned as 'agitators'. This discrepancy in British claims and actions made of the educated Indian a cynic and a sycophant.[5] Was this to be the fruit of the much-vaunted Western civilisation?

Nor was it true to say that all Orientals were reactionaries. Reaction, said Ameer Ali, was not unknown even in Europe or America, in countries which claimed to stand in the vanguard of 'what is usually termed civilization—a word of which

5. Ameer Ali, "Some Racial Characteristics of Northern India and Bengal," *Nineteenth Century and After*, November 1907.

I have the utmost horror'. Under pretence of carrying this 'doubtful commodity' into areas which prefer to follow their own traditions and among people which refuse to be forcibly exploited and driven out of their hearths and homes or to allow themselves to be debased by drink and other vices of civilisation, crimes had been and were being committed 'at which the English people with their inborn sense of justice would have raised indignant protests not so very long ago. But now, alas, unless the exploitation turns into perpetration of horrors, England hardly listens to the cry of the oppressed'.[6]

The Future of British Rule in India

Like Sayyid Ahmad Khan and other Muslim leaders of that generation Ameer Ali looked forward to a long British innings in India. He believed that British presence in India was good for the country, that it would and should last for a long time, and that self-government was a very distant 'dream'.

He was not one of those who thought that home rule for India was 'within the range of practical politics'—'certainly not for many years to come'. Even if the various Indian nationalities had attained 'a degree of solidarity to make self-government possible,' the external conditions were such as to make the idea seem 'almost insane'. India's safety from foreign aggression lay in her connection with Britain.[7] However much *swaraj* might be desirable in theory, India was 'not ripe yet to assume charge of her own destinies,' and 'for some time to come the present rule is a vital necessity for her'. If the British were to withdraw from India the result would be either anarchy or another foreign domination. Anarchy was self-evidently undesirable. And, whatever its faults, British rule 'was preferable to that of the Russians, French, Germans, or even the Americans'. Would it not be better, he asked, to wait for the gradual evolution of a Government conformable to the sentiments of a *united* people rather than try

6. Ameer Ali, "The Muhammadans of India and Their Place in the Empire" (probably 1912), *Ameer Ali Papers.*

7. Ameer Ali, "An Indian Retrospect and Some Comments," *Nineteenth Century and After*, October 1905.

to hurry the pace and retard the progress?[8]

He expressed similar ideas in his address to Muslim audiences. Speaking in December 1908 at a breakfast meeting arranged by the London Muslim League, he declared that the Indian Muslims believed that the continuous development of India was dependent on the permanence of British rule.[9] In his presidential address to the annual session of the All-India Muslim League, held in Delhi on 29 January, 1910, he used the word 'dream' for the Indian aspiration for self-government, and explained it by saying that he strongly felt that 'for many years to come British rule in India was a vital necessity'. He was firmly convinced that if Britain were to lose her hold over India 'before the diverse races and nationalities had thoroughly learned the value of a spirit of compromise and toleration in the management of public affairs—before they clearly understood the responsibilities of citizenship—' it would mean 'a relapse into the anarchy of 150 years ago'. It would be 'rank ingratitude' if Indians did not recognise the greatness of the work achieved by Britain 'with the legacy left to her by India's previous rulers'. To the Musalmans the permanence of British rule was 'a matter of the utmost importance,' and they must put aside any wild and visionary dreams about India's sudden emergence to independence. Self-government, he assured his audience, would come in the natural course of evolution when the Indian races had learned the 'value of self-restraint and discipline, of compromise and mutual toleration'.[10] He reasserted this six months later in a speech before the London Muslim League: '. . . it was their conviction that the progress and development of Muslim races, both within and without India, was bound up with the permanence of British rule in the Indian continent.'[11]

8. Ameer Ali, "The Unrest in India—Its Meaning," *Nineteenth Century and After*, June 1907. Italics in the original.

9. Ameer Ali's speech at a breakfast meeting arranged by the London Muslim League. *The Times*, 10 December, 1908.

10. See the Report in *The Times*, 31 January, 1910, and the slightly different one in *Civil and Military Gazette*, 1 February, 1910.

11. See report of his speech at the second annual meeting of the London Muslim League at Hotel Metropole, London, on 6 June, 1910; *The Times*, 7 June, 1910, and *Civil and Military Gazette*, 28 June 1910.

Ameer Ali once told Sirdar Ikbal Ali Shah that 'if we do not side with England we shall be doomed'. On this the Sirdar commented, 'The invulnerability of his politico-religious doctrines is proved by the fact that, during his fifty years' active participation in Islamic public life, there has not been a single anti-British movement which he did not oppose as detrimental to the ultimate regeneration of young Islam.'[12]

Why was Ameer Ali so sanguine about the prospects of British rule in India? Some of the reasons are not far to seek. India's backwardness did not warrant the grant of self-government for many years to come. She lacked both the economic base for independence and the political maturity for self-government. Her unfitness for *swaraj* was a proposition which did not brook any questioning. Further, India's weakness and disunity were a guarantee that the British withdrawal would inevitably lead to the arrival of some other foreign power. Russian ambitions to dominate the sub-continent were well known. So was German interest in this area. The French, too, would have welcomed an opportunity of extending their control in the East. Thus getting rid of the British was not the same thing as achieving independence. Surely the Indians did not want a mere change of masters! If this argument was accepted as true, was not British rule to be preferred to the Russian, or the German, or the French? British rule in India was a foreign domination, but it was benevolent and comparatively merciful. It had not come by invasion and outright conquest, but by infiltration and through considerable native support. Another foreign power would conquer India by sheer force, and then hold it down by the sword. Regarded in this light British rule was a welcome alternative to other foreign occupation.

From the Muslim point of view two other factors seemed to influence Ameer Ali's mind. In the first place, the followers of Islam formed a world community. The Indian Muslims could not, even if they had wished, isolate themselves from their co-religionists in other countries. They shared common interests and regarded themselves as one politico-religious spectrum. The

12. *The Times*, 8 August, 1928. Sirdar Ikbal Ali Shah was a well-known publicist of Hyderabad Deccan.

British controlled the destinies of most of these Muslim countries. Turkey's safety against Russian expansion lay in British friendship. Egypt was a British protectorate, in fact if not in law. Persian independence was severely circumscribed by British control. Some African countries were no more than British colonies. Thus Muslim solidarity in the world depended, to a great extent, on British goodwill. If the Muslims of India wanted the interests of foreign Muslims to be safeguarded the realities of the situation demanded that they should keep on good terms with the British.

The minority status of the Muslims within India pointed to the same course. In Ameer Ali's time even the idea of a partition of India was yet not envisaged. If India got *swaraj* the inevitable sequence would be a disaster for the Muslims. In spite of their large number they were only a minority of the total Indian population. Any step towards self-government, any loosening of the chain, would mean an accretion of the power of the majority. Thus if self-government meant the rule of the Hindu—what else could it be in Muslim eyes?—such self-government was not what the Muslims wanted to work for. For them it would be a change of masters; and a change for the worse, because while the British followed a neutral policy in the matter of religion, the Hindus would not do the same. If the choice lay between a British rule and a Hindu rule, the Muslim faced no dilemma and his decision was obvious.

Chapter 8

THE MAN AND HIS ACHIEVEMENTS

Ameer Ali was a man of many parts. Trained in law he rose to the highest judicial appointment then open to an Indian, and made his mark for integrity, insight into law, justice tempered with humanitarianism, and deep understanding of the legal system of Islam. In the Privy Council he sat among the highest legal luminaries of the Empire and impressed his peers with his wide ability and literary skill.[1] He gave more to the Council than he took from it. For the first time the august Council discovered the working of the legal system in India through the opinions and experience of an Indian. He combined the mind of a judge with the knowledge of a legist, and put the combination to good use by writing several books on Indian and Islamic laws which illuminated the subject for at least two generations of students of law.

He had a powerful and pleasant pen and wrote with ease and clarity. The ease came from his command of the English language, the clarity was born of straight thinking and a trained mind. In his first book, *A Critical Examination of the Life and Teachings of Muhammad*, published in 1873, when he was only twenty-four, he showed his mastery of English. He retained this ascendancy till the end, and his Privy Council judgments are still a treat to read. Many of his English colleagues on the Council envied his style and proffered it as a model of judicial writing. His

1. On Ameer Ali's elevation to the Privy Council, Professor Arminius Vambery, in a letter to Lord Avebury, written from Budapest on 21 January, 1919, said, "I look upon this act of His Majesty's Government as an historical event of great importance, for it denotes a happy turn in the relations of Great Britian to her Muslim subjects and to Islam in general." *The Times*, 18 January, 1910.

works on Islam entitle him to a permanent place in English literature as an interpreter of the Islamic system and an expounder of Islamic history.

Partly due to the more broadbased education which was the vogue in the last century and partly due to his native ability and passion for reading, Ameer Ali became, while still in his early manhood, a person of remarkable erudition and knowledge. His school and college reading was impressive and made a useful foundation for the wider perspective which came with his stay in England. A man of catholic taste and wide interests, he found time for all branches of polite letters: law, history, philosophy, literature, religion, art. But what made him unique in the nineteenth-century India was his equal command over the learning of the East and the West. He was not only the first Indian Muslim to be learned in the Western intellectual lore, but the only Indian Muslim to be equally at home in Eastern and Western knowledge. Muslim leaders of the second half of the nineteenth century were all well versed in Islamic and other oriental learning, but almost totally ignorant of the thought of the West. Sayyid Ahmad Khan, Shibli Naumani, Altaf Husain Hali and other Aligarh stalwarts were not in touch with the West, though they strove to integrate its learning with their own. It is to their credit that, without an adequate grounding in Western learning, they still believed in and practised a liberalism which they gradually introduced into the intellectual life of their own people. But it remains true that none of them was equipped to understand the West and to communicate its defects and qualities to Muslim India. Ameer Ali stands alone as one who was equally at home in Calcutta and London, who enjoyed Zauq and Mir as well as Milton and Tennyson, who knew his Islam as deeply as the Bible, who was as much a master of Indian law as of the English law, whose linguistic acquisitions knew no frontiers between Asia and Europe, whose mould of thinking was as much Eastern as it was Western, who had profited as much by a study of oriental history as by that of the occidental, and who knew al-Ghazali as intimately as he knew the European thinkers. In fine, he was that rare combination of East and West which can exist in spite of Kipling's maxim to the contrary and which the modern cosmopolitan world often demands but, alas! rarely

produces.

In the realm of practical politics Ameer Ali's achievements shine no less. He was the first Indian Muslim to awaken to the necessity of political organisation. Several years before the Indian National Congress began to meet at the instigation of an Englishman, he foresaw that the age of politics had arrived and that those who ignored the signs of the time shall perish. In the teeth of Sayyid Ahmad Khan's opposition, in spite of the general disapproval of the Aligarh school of thought, in the face of almost crippling handicaps, he founded the Central National Muhammadan Association, nurtured it with his untiring work and inexhaustible enthusiasm, spread its message across the sub-continent, and thus prepared the Muslims and their leaders for the coming of the All-India Muslim League. His foresight as well as his reading of European and American history told him that political activity by itself was meaningless until its social base was well and truly laid. Therefore, like Sayyid Ahmad Khan, he believed in social reform; but, unlike him, he was convinced that political activity would not wait on the consummation of social progress. The ageless river of time flows fast and does not wait on anyone's convenience. If Muslims stood by and waited for the foreign rulers to bestow favours unasked or concede rights undemanded, they would wait in vain. The rulers gave, if they gave at all, to those who spoke out and whose voice was high. Similarly, the people themselves would remain in the dark about their own weaknesses if there were no organisation to awaken them to their social and political needs and aspirations. Thus Ameer Ali established the Muhammadan Association with a double view: to inform the Muslims of their defects and drawbacks, and to inform the rulers about their aspirations and rights.

After Ameer Ali's departure from India the Association languished for want of care and attention and gradually disappeared from view. From London Ameer Ali continued to plead for the establishment of an all-India organisation which should look after Muslim interests. Again and again, in 1904, in 1905, and in 1906, he spoke and wrote about this pressing need, and when the All-India Muslim League was finally formed he welcomed it.

Fortunately, his absence from India did not preclude the possibility of his association with the new body. He founded the London

Muslim League and, by his personal influence, exertion, and unbounded zeal, created in England a political and social platform from where British public opinion was cultivated, Muslim League policies were advocated, Muslim interests were publicised, and Muslim leaders were brought into contact with British members of Parliament, editors of English newspapers, and other important figures in British political and social life. For five years, at the end of which Ameer Ali was forced to resign by the tactless extremism of some Indian Muslim League leaders, the London Muslim League did excellent service to Muslim India. After that it disappeared into an oblivion from which nothing could bring it back to life.

It is a measure of Ameer Ali's personal magnetism, influence, and interest that any organisation from which his guiding hand was taken away soon died of inanition and emptiness. The careers of the Central National Muhammadan Association and the London Muslim League illustrate both the high quality of his leadership and the indispensability of his presence.

But Ameer Ali was not a man to sit idle and silent merely because a political platform had been taken away from him. When an occasion arose for him to play an active part he was ready with all his previous felicity, finesse, and passion. During the Khilafat period he once again came to the forefront and, without taking any part in the political agitation then sweeping over India, he used his old and well-tried weapons for influencing British public opinion. He wrote articles in the quality journals, sent urgent letters to *The Times*, made persuasive speeches and talked to all and sundry who had a voice in British politics—all to one end: the restoration of Turkish sovereignty, the integrity of the Ottoman sway, Muslim control of the holy places. All this was achieved, partly by the success of Turkish arms, partly by the incessant agitation in India, and partly by the efforts in England of Ameer Ali and the Aga Khan. Like Jinnah, Ameer Ali was temperamentally opposed to unruly agitation, and, instead, believed in the cogency of a constitutional approach. With the Aga Khan he was the only Indian leader who refused to be swept away by the extremist Indian agitational politics, but fought, as bitterly as the Indian Khilafatists, with purely constitutional weapons: logic and

the written word. At the end he was beaten by the Turks themselves, who abolished the Khilafat and exiled the Sultan-Khalifa; but this *contretemp* in no way detracts from the dignity, the sincerity, and the ability with which Ameer Ali fought the battle of Khilafat. It is unfortunate that the ungrateful and impolitic Turkish reaction to the letter that he (and the Aga Khan) sent to the Turkish Prime Minister must have soured his last years.

Another of his achievements was the winning of separate electorates for Indian Muslims in the Morley-Minto reforms. He was never more active in his life than during the years preceding the passing of the statute of 1909, when all his efforts and influence were pressed into service to persuade an unsympathetic British Government, an ignorant House of Commons, and a hostile Secretary of State to concede the fundamental Muslim demand for separate electorates and to redeem the pledges publicly given by Morley and Minto. The final victory was, in a great measure, a matter of personal satisfaction to Ameer Ali.

Till the end of the first decade of the twentieth century Ameer Ali was a useful critic of the British administration of India. His articles written for British journals, in particular *The Nineteenth Century*, during this period are replete with suggestions, recommendations, and sound adivce. Tirelessly he pointed out the weaknesses of the administrative system, the defects of legislatures, the drawbacks of the working of the legal system, the dangers of racial discrimination, the pitfalls of the official economic policy, the handicaps inherent in the governmental control of the universities, the need for liberalising the base of foreign rule, the necessity of conciliating Indian public opinion, and the urgency of official support to social uplift. In all these fields he made concrete suggestions aimed at improving the entire tone of the administration. He was a friendly but fearless critic, sober and well informed, kindly and forbearing, scrupulous in the gathering of facts, sound in opinion, confident of the justice of his cause, as much aware of the dangers of haste as of the tragedy of tardiness, equally mindful of the needs of India and the responsibilities of England, unafraid in criticism, unwilling to make impossible demands, insistent on the redress of genuine grievances.

As far as we can ascertain Ameer Ali was the first Indian Muslim

to use the English word 'nation' for the Muslims of India. Fully aware of the gulf which lay between the Muslims and the other communities of the country, he repeatedly emphasised the extent and degree of this separateness. The Muslims had separate interests in politics, in society, in religion, in law; in short, in all that made up the life of a people they were different from others. On this basis he argued for separate electorates, for greater representation in legislative bodies, for increased quota in the public services, for wider autonomy in the sphere of personal law, and for a separate organisation in the field of politics. He realised that the Muslims would for ever remain a minority in India, and therefore inevitably every new move in the direction of a so-called democracy would damage rather than improve their prospects. Incidentally, that explains his 'loyalty,' his hope that British rule would last a long time, and his belief that Muslim interests were more secure in British than in Hindu hands. In short, he preferred British rule to Hindu hegemony, and in this he forestalled the arguments of the leaders of the subsequent Pakistan movement. In this respect, as in some others too, he is undoubtedly one of the makers of Pakistan.

Perhaps his supreme political achievement was his spokesmanship of Muslim India in England. From his first visit to London as a student in 1869 till his death in 1928 he had one mission: to inform the British people of Islam and of Indian Muslims, and to remove the misunderstandings, prejudices, and ignorance which most Europeans brought to a study of Islam. All his writings and speeches were aimed at this. For the last twenty-four years of his life, when he was living in England, he devoted himself to this task. Throughout British rule in India he was the only Muslim leader and intellectual[2] who interpreted Muslim India to England and kept British public opinion abreast of Indian Muslim developments, needs, demands, and aspirations. His marriage into a highly respectable English family, his wide circle of English friends, his public

2. To say this is not to ignore or minimise the role of the Aga Khan. The Aga Khan was more influential and knew more people of the right kind. But he had varied interests and could not, like Ameer Ali, devote himself to the task to the exclusion of all other activities. Further, in the intellectual sphere Ameer Ali was clearly superior to the Aga Khan.

contacts, his reputation as an author of note, his career as a judge, his membership of the Privy Council—all these contributed to his success as an ambassador of Muslim India in London. His learning unlocked some doors barred to other politicians. His judicial training imparted to his arguments a clarity and a plausibility which ordinary controversialists could not muster. His authority as an expounder of Islam gave him a hearing denied to other Muslim leaders. In consequence, he was heard with interest, attention, and respect. Muslim India gained inestimably from these personal qualities of the Sayyid.

In the nineteenth century Islam came into contact with the modern West for the first time. For many years this confrontation worked to the disadvantage of Islam. Circumstances of all sorts created in the Muslims a sharp feeling of inferiority. Except the Ottoman Empire all Muslim States lay prostrate under European rule. The creed of Islam was brought into disrepute by Western writers who naturally found nothing good in it and by Christian missionary authors whose outpourings were marked by a theological animus. The Muslims themselves did not help their cause by countenancing and perpetuating many impurities and un-Islamic accretions in the practice of Islam. Superstition, irrationalism and caste were conspicuous. The fundamentals of belief were buried under theological disputation, doubtful ritual, and unethical practices. The *mulla* ruled the creed, and ended by creating among the flock the fear of himself rather than that of God.

The situation called for a revolutionary change which would give the Muslims back their self-respect, their confidence, their belief in God and His teachings, which would provide them with a reasoned basis of self-esteem leading to a spirit of inquiry Ameer Ali appeared as if in answer to the call of the times. He dealt with the problem in two ways: on the one hand he preached a liberal Islam freed of all accretions and alive and pulsating in its vitality, on the other he presented to the West an Islam which was grounded in reason and was thus a religion of nature.

Above all he re-introduced liberalism in religious belief. He began, in *The Spirit of Islam*,[3] by presenting the Prophet as the

3. According to Professor W. C. Smith, this book is "the most widely quoted modern book on the religion" in Egypt; see his *Modern Islam in India*, Collancz, London, 1946, p. 55.

embodiment and a most exalted example of human virtue. He was a model for all mankind, not because he was a prophet, but because he was a *good* man. He provided a standard to which all striving for good should try to conform. He had won converts not so much by threatening dire consequences to the unbelievers than by the example of his own conduct.

After thus explaining the rise of Islam on a rational plane, he proceeded to present the teachings of Islam in terms of Western thought. Without appearing to do so even to his contemporaries, he reformulated Islamic doctrine in terms of contemporary social ideals. Following in the footsteps of Sayyid Ahmad Khan's *nechari* school of thought, he interpreted the creed on rational grounds. Obligations were commended because they were inherently good, because they were acceptable to human reason, because they answered to human intelligence. He asserted that the prevalence of slavery, polygamy, and divorce by repudiation was contrary to the true teachings of the Quran. The responsibility for their practice was laid at the door of the later doctors and canonists. He was particularly hard on those who defended and sanctioned polygamy, and called it 'an unendurable, evil'.[4]

To the West he presented a picture of Islam as a progressive, civilising force. He answered the critics with scholarship and sobriety. He asked them to view Islam in a spirit of unclouded inquiry, with prejudice and bias left behind, with an honest effort to understand its meaning. Removing many misunderstandings current in the West, he described what Islam actually was and distinguished it from what the West believed or fondly hoped it was.

His arguments were persuasive and rooted in common sense. His facts were authentic. Therefore he was able to convince and impress a large audience. Many in the West corrected their view of Islam through his writings. Among the Muslims he wrought a veritable revolution. Islam, they now knew, was a modern, rational

4. The reader will notice the extent of Ameer Ali's influence on some later commentators of the Quran like Muhammad Ali and Abdullah Yusuf Ali. It is reported that "when the Turkish Revolution of 1908 was brewing, Ameer Ali convinced the Shaikh-ul-Islam, by theological arguments, that the Young Turk Movement was not irreligious and opposed to Islam. The result was that the highest ecclesiastical dignitary of Turkey gave the Revolution the sanction of the Faith" (Knight *Awakening of Turkey*, p. 67).

religion, of which they ought to be proud. They could now hold their head high in the conviction that, on every point, Islam was superior to other beliefs, not only in the opinion of its followers but in the judgment of the tribunal of human reason. No religion could have a better witness than this of its excellence. *The Spirit of Islam* remains to this day a unique memorial as much to the universality and humanity of Islam as to the perspicacity of its author.

We have said that in making reason the basis of Islam Ameer Ali was following the lead of the *nechari* school of thought. But this should not be taken to mean that his views were identical with those of Sayyid Ahmad Khan. The two great leaders of Muslim renaissance in India had much in common; yet they differed in several respects.

Like Sayyid Ahmad Khan, Ameer Ali was an apostle of English education and a great believer in instructing the women; unlike him, he was an advanced social reformer. Like him, Ameer Ali was a link, a bond, a bridge, between the East and the West; unlike him, he chose the English language as the vehicle of his thought, and England as a platform for communicating with Europeans as well as his own people. Like him, Ameer Ali stood away from the Indian National Congress, fearing its Hindu philosophy as much as its so-called democracy;[5] unlike him, he was intensely interested in politics and favoured the establishment of a political organisation for the Muslims of India. Like him, Ameer Ali proved the religion of Islam to be a religion of reason and nature; unlike him, he broadcast his message equally to the Europeans and the Asians. Like him, Ameer Ali looked upon the Prophet as a model of virtue and human conduct; unlike him, he painted Muhammad in positive

5. In 1885, when Ameer Ali was in Simla drafting the Bengal Tenancy Act, A. O. Hume met him and asked him to preside over the forthcoming opening meeting of the Indian National Congress. But Ameer Ali refused, saying that any move towards parliamentary government would mean the subjugation of his people in India. (Information supplied by Ameer Ali's elder son, Waris Ameer Ali, to the author in an interview in London on 21 February, 1963.) In 1912 another offer of Congress presidency was made to Ameer Ali, for in a letter to him written on 22 August, 1912, Mian (later Sir) Muhammad Shafi wrote, "I entirely approve of the answer you gave to Mr. Jinnah in connection with his offer of the Congress presidency to you"; see "Memoirs," *Islamic Culture*, July 1932, p. 350 fn.

colours (what he actually was) rather than in negative hues (what he was not). Like him, Ameer Ali believed that Islam was a liberal faith; unlike him, instead of stopping short at the statement that it was not hostile to liberty, he went further and identified it with progress. Like him, Ameer Ali defended Islam against European attacks; unlike him, after establishing its superiority he invited the Western seekers of truth to join the faith. Like him, Ameer Ali took his Islam straight from the Quran; unlike him, he took it as a system of life rather than as a mere system of thought.

In the history of modern Muslim India Ameer Ali has a high place. In the fabric of Islamic renaissance he occupies a niche which none will envy or deny him. With his diverse gifts he played many parts in the life given to him on this mortal earth. It is not given to many to fill so many roles. It is given to few to fill them with such distinction, dignity and *elan*.



BOOK TWO

WORK

1

SOME INDIAN SUGGESTIONS FOR INDIA

[*The Nineteenth Century*, June 1880, pp. 963-78]

e accession of a Liberal Ministry to power will, in all likeli- od, affect the principles upon which India has hitherto been verned. The members of the present Government were able perceive, whilst in Opposition, from an independent stand- int, the mistakes which vitiated the policy of their predecessors office, and to realise, to a certain extent, the absence of sym- hy between the rulers and the ruled which characterised the ection of affairs until now. The hope, therefore, entertained on sides in India that the commencement of a fresh regime will ugurate a more liberal policy in that country, can hardly be isidered illegitimate or irrational. The difficulties which surround Indian questions, and prevent Englishmen from ascertaining uine Indian public opinion, lead to the impression that it will t be inopportune at the present moment to place on record a suggestions, from an Indian point of view, for the considera- of those to whose hands the destiny of the country has en confided.

he first thing to which the serious attention of the Liberal nistry will probably be directed is the financial condition of lia and the system of taxation in force there. In fact, the re- bilitation of Indian finances is a question of the greatest emer- ncy, and any delay in grappling with it will be a grievous mis- te. The partial repeal of the duty on imported cotton goods, by ich the Indian Government abandoned without any tangible son a considerable amount of revenue, was one of those mistakes

which leave their mark on the mind of the people for long periods of time. It gave rise to an impression, not without reason, that the interests of the people of India were sacrificed in deference to the wishes of a portion of the British community; and this opinion obtained public utterance in various quarters. It is a fact which has been lately recognised by one of the leading Liberal statesmen in England, that the cotton duties are not maintained for protective purposes, but rather for fiscal reasons and exigencies. An indirect tax of this nature is more in conformity with the wishes of the people than any direct form of taxation; and while it saves the Government much odium, it spares the population from the tender mercies of the tax-collector. The people, as a body, approved of the duty levied on cotton goods, because its incidence was hardly perceptible to them. The Government having abandoned a portion of the revenue, recourse was had to other measures to recoup the loss thereby sustained. That to a certain extent the License Tax was designed to answer this purpose can hardly be doubted. Possibly it was also intended that this tax should provide an insurance fund against famines. The object in view may have been very commendable, but the method adopted for carrying it into effect certainly deserves no commendation. A more mischievous measure, or one more calculated to bring the Government into disrepute with the mass of the population, could not have been devised. Those who know the impecunious condition of the general body of the people, how they live from hand to mouth, can imagine the hardships to which they were subjected at the hands of the smaller satellites of Government. The cases of gross oppression which were investigated and exposed in the Presidency towns served to throw considerable light on the condition of affairs in the Moffussil.

The amount realised by Government does not represent the entire sum extracted from the tax-payers. The collectors and assessors have always to be assisted by informers (as was publicly admitted in open court by one of the collecting officers), and these informers, who render their services gratis to the State, recoup themselves for their trouble from those who have to pay the tax. In a poor country like India, where the mass of the population is steeped in ignorance, where the English officials are inaccessible to

the general run of the community, and where there is little public opinion, an indirect tax weighing lightly on the people, requiring no tax-gatherer and no informer for its practical working, is in every way preferable to direct taxation.

It would seem, however, that this principle has been entirely lost sight of in India in every measure adopted heretofore for the adjustment of the finances. It would seem also that the men chiefly responsible for the introduction of the License Tax are yet unaware of the peculiarly obnoxious character this impost assumes when worked by the agency of informers and unpaid assessors. Some dim inkling of the hardships entailed on the people has led to the exemption of the poorest classes from the operation of the Act; the relief afforded is, however, very partial. Now that the surplus is acknowledged to be a dream of the past, it is idle to expect, whilst the financial direction remains in the present hands, that the tax will be repealed. Not even at the time when the idea of a surplus was first started, and many Alnaschar-like plans built upon it, did the repeal of the License Tax, or its substitution by some indirect form of taxation, ever enter the heads of the financial authorities. The simplicity with which the idea was formed and put forward before the public in India, was matched by the avidity with which it was accepted in England. But in India it was never supposed for a moment that the optimistic views entertained by the Finance Minister had any foundation in fact. Those who knew how, before this, subsequent events had always falsified the Budget estimates of Sir John Strachey, raised their warning voices against implicitly trusting to the figures given in the last Budget. It was pointed out that, in 1876-77, the actual expenditure exceeded the Budget estimate by £3,094,655; in 1877-78 by £5,180,400; in 1878-79, by over £1,000,000; and in 1879-80 by over £1,500,000. The Anglo-Indian press persistently called attention to the lavish expenditure going on in the military department. The *Bombay Review*, in a trenchant article of the 14th of February last, spoke out vigorously. A portion of the article is worth quoting:

Therefore the first and pressing duty the Indian press has to fulfil, is to trace the items and sum up the totals of the huge expenditure rapidly accumulating month by month. The tale thereof is being studiously and skilfully concealed; but, though the task

is thus rendered difficult, our daily contemporaries with space and resources at their command ought to be equal to the occasion. Unfortunately they will, for the present, be a day after the fair, as the financial statement, cunningly concocted on the disingenuous principle we have described, must now be nearly ready for launching. All the more need is there for those who have any sincere care for the permanent welfare of India, and who cherish some sense of political equity, to be up and doing. We are glad to see that an attempt in the direction we have indicated is being made by one of our Calcutta contemporaries (*Indian Daily News*), though in a somewhat mild and apologetic fashion. We wish our space permitted us to extract the articles on the subject from that paper of the 6th and 7th; but we give the reference, so that other writers may, perchance, be induced to push the argument a stage further. Our contemporary makes a very good point in demanding that strict current account shall be taken of all extra expenditure caused by the Afghan war. Though this order would chiefly affect the military department—to which the *News* appears to confine its attention—it should be extended in every direction where the present strain is felt. Not only the transport and 'followers' services are squandering money 'like fun,' but the public works, the railways, and the marine, besides several branches of ordinary civil service, are contributing to the haemorrhage now going on so freely. The columns of our contemporaries in northern India are full of indications of lavish outlay, within our borders, on transport, service on railways, on supplies and munitions of war; while the devil's cauldron, over the border, is being stirred merrily to the emphatic refrain of d— the expense, subsidies squandered on tribes who are barely kept at bay, and ready rupees being flung broadcast for supplies in the Passes at Kabul. Our Calcutta contemporary is quite right in demanding that account shall be taken now of these headlong disbursements; and very properly adds—'delay (in rendering these current accounts) should involve the removal of the (head) officer responsible in each case.'

Whilst almost every public journal in India was calling the attention of Government to 'the cataract of unavowed expenditure,' it is absurd to suppose that the responsible parties were not aware of the fact until now. Of course, no one is prepared to say that the surplus was put forward designedly. The wonder is, that it was persistently believed in, despite the plainest evidence to the contrary. And even now it would appear, from the telegraphic summary of the Government of India's despatch contained in the papers of the 6th of May, that in certain quarters there is a desire

to slur over hard facts. 'But for the war,' it is said, 'there would have been a surplus of four millions both in the past and present years.' 'But for the war!' Within the last four years, the public debt has grown by twenty millions; within the last ten years, the gross expenditure has increased by fifteen or sixteen millions; whilst within the last six years, the army expenditure has admittedly increased by three millions. Making every allowance for augmented railway returns and larger opium receipts, is there any valid ground for supposing that the additional revenue, derivable from these and other accidental sources, enable the two ends to meet? The revenue derived from opium is of the most precarious character, and the abnormal gains of this year may not improbably lead next year to a large fluctuation contrariwise. Persia has commenced to compete vigorously with India in the opium market; and once the practical monopoly which now exists ceases, all reliance on the opium yield may safely be abandoned in financial calculations. Again, it is uncertain how far the proceeds of the reserved stocks of opium of former years have entered into the Budget estimate for the present year. The stoppage of public works cannot possibly be permanent. To say, therefore, that but for the war there would have been a surplus of four millions, is a stretch of the imagination. Not only, at the present moment, is there no surplus, but there is a deficit of about four millions. Some people are inclined to believe that even this is under-estimated. How is this deficit to be met? Should the difficulty be tided over by a loan, it is to be feared the Finance Minister of the future will find no little trouble in paying the interest out of the general revenue. Let us hope that England will partially lighten the burden by undertaking the payment of a portion of the cost of the Afghan war. This even would afford only a partial and temporary relief. The finances of India, in order to be placed on a satisfactory basis, will have to be handled delicately, yet vigorously. The partial abandonment of the duty on cotton goods is already producing the effects all along anticipated. Goods which come within the exempted category are alone manufactured and sent out to India. No duty, of course, is leviable thereupon. The entire import duty on cotton goods may be considered as virtually abandoned. With the virtual abandonment of the import duties, the export

duty on rice will have to go, as seems to be anticipated by Sir J. Strachey himself. What this means may safely be commended to the attention of earnest people in England. Already the export of rice has reached an unprecedented extent in India, and exercises no little influence on the fluctuations in the price of the staple food of the country. Speculators and traders will gain chiefly by the abolition of the export duty on rice, as they have done by the reduction of the salt duty in certain parts of India. The loss to the public revenue will accentuate the misery of the people. In view of these facts it is puerile to talk about the war being the only disturbing element in financial calculations.

A sifting inquiry, such as has been suggested by Mr. Fawcett, into the financial condition of India, will probably show that the only branch of the public revenue which possesses any real elasticity and where an enhancement might safely be effected without creating great popular discontent, consists in the income derived from the Customs and Excise Departments. The incidence of the License or the Income Tax can never be fairly apportioned or equalised, nor can their collection be altogether free from those evils to which attention has already been directed.

All direct forms of taxation are, therefore, strongly to be deprecated. There remains, then, the question of indirect taxation, which must be fairly discussed in order to determine what margin was still left for the Indian Government in that direction. The reimposition of the cotton duties also deserves serious consideration. This task, however, must be approached without the fear of hurting the susceptibilities of English constituencies and British manufacturers. The idea prevalent in England that the import duties on cotton goods are not only repugnant to the theory of free trade, but have the effect of pressing heavily on the poorer classes, is absolutely erroneous. It would appear that this is the only form of tax that touches them most lightly. The cotton duty, like the duty on sugar, reached the well-to-do classes, who alone consumed the comparatively high-priced foreign fabrics. The wisdom of abandoning taxes upon luxuries, which are habitually consumed by the richer portion of the population, upon purely theoretical grounds, is, to say the least, very doubtful.

The consumption of 'excisable' articles, which is a legal

euphemism for intoxicating liquors and drugs, seems to progress in the same ratio as the advancement of British civilisation. The rich of course indulge in imported liquors, whilst the poor betake themselves to country-made *doatshas*, and other intoxicating drinks distilled from rice, &c. It would seem that here at least there is ample field for the exercise of financial ability. A very excellent Act was passed by the Bengal Legislature about a year ago, which has for one of its objects the increase of the number of articles upon which an excise duty may be levied.[1] Its operation might usefully be extended to the whole of India.

The duty on salt is another of those questions which, sooner or later, must engage the attention of Government. This duty has been partially reduced in some quarters, and partially enhanced in others. Considering that in the latter case, notably in Madras and Bombay, the people are on the whole poorer than in Bengal, one is inclined to doubt the financial success of the measure. Then again, the partial reduction of the duty in the more favoured parts whilst it has entailed some loss to the revenue, has made no appreciable difference in the price of salt. Viewed by the light of practical experience, it may be questioned whether the thorough equalisation of the duty on salt is feasible.

That India is on the verge of bankruptcy is a statement which has often been put forward, but scarcely ever seriously controverted. Whatever truth there may be in it, one fact can hardly be disputed, that the mass of the population is worse off now than at any time before under British rule. Everywhere the necessaries of life have become dear. Undoubtedly, in many cases the standard of living has improved, but the consequence is that living costs more than twenty years ago. The value of money has diminished. Trade does not bring in much profit. The supply of candidates for Government employment is greater than the demand. The cultivators of the soil are impoverished, and the general body of the landowning classes is not better off. The wages of labour have increased, but the benefit which might be expected from increase of wages in the improvement of the condition of the labouring classes is to be seen nowhere. There are a few, very few, rich people

1. The Bengal Excise Act.

scattered over the country; but, as a whole, a dead weight seems to hang on the Indian community. The real causes of this serious outlook are not far to seek, and may be stated in a few words. They are the natural results, partly of the financial difficulties of the Government which necessitate the imposition of onerous and unpopular taxes, and partly of those circumstances which lead to a heavy and incessant drain of large sums of money year after year in the shape of savings, pensions, home-charges, &c. Those who know the nature of the investments made by English gentlemen in India, understand perfectly that a very small fraction of the sums so withdrawn finds its way back for 'opening up the resources of the country'. A taste has grown up on all sides for foreign articles and imported goods, all of which have to be paid for in hard cash. It is not my wish to decry the taste which has grown up among Indians for foreign things. I look upon it as a sign of progress. Nor do I find fault with Englishmen, who have rendered their services faithfully and loyally to the country, for enjoying their rewards in their own fatherland. The fact, however, remains that whereas, under the native rule, the wealth of the country continued there, by the necessity of the British rule an enormous portion of its resources is withdrawn, and, to prevent, at least partially, the continuous outflow of the resources of India. One notable suggestion was that the administration should, as far as practicable, be entrusted to and conducted through the instrumentality of the country, saving thereby the necessity of importing costly foreign labour. In 1870 this plan received the sanction of the Imperial Parliament, and an act was passed embodying the principle in a formal statute. It remained, however, a dead letter until a year or two ago, when, under the pressure of British public opinion, the Government of India framed a set of rules, which the Indian people have with one voice declared to be a fiasco. If the educated public opinion of a nation possesses any value in the eyes of statesmen, these rules stand condemned as absurd and impracticable.

The Act of 1870 was passed with the object of placing the Indian subjects of Her Majesty on a footing of equality with the British European subjects. It authorised the Indian Government to appoint natives of India of proved merit and ability to offices of trust and emolument, without regard to the fact whether they

belonged to the Civil Service or not. There was no question of a difference of pay between European and native officials invovled in the object of the Act. It is undoubtedly true that the primary principle in view was to save India from bankruptcy and collapse by utilising indigenous labour, and stopping the needless influx of the foreign element. Had the Act received the hearty concurrence of the Indian Government, two practical gains would have resulted therefrom. In the first place, much of the wealth which is at the present moment necessarily withdrawn, would have remained in its legitimate sphere, and gone towards the improvement of the masses. In the second place, the waste of public money caused by the retention of offices not absolutely needed would have come to an end. The rules, however, not only stultify the object of the Act, but negative completely the theory upon which the Government has ostensibly proceeded. The invidious distinction in the matter of pay between Europeans and Indians, besides other disqualifications, would prevent qualified natives of India, whose services might be really worth securing, from entering the service; whilst a few unimportant nominations here and there can have no appreciable effect on the expenditure of the country. If there is any real intention on the part of the authorities in India to utilise the acknowledged capacity of the educated Indians in the judicial and administrative departments, the principle should be carried into effect with the sole object of benefiting the country, independently of every consideration for class interests. If economy is in view, the pay of all the high officers of Government should be cut down, irrespective of every question of nationality. In every country in the world the emolument of an office serves as the standard of its importance in the eyes of the populace. And this is particularly the case in India. If the pay of all the high officers of Government were reduced without distinction of race, colour, or creed, there would be no fear of invidious comparisons being drawn between a European and an Indian employee. It might possibly be said that Indians living in their own country do not require such large salaries as Englishmen going out to a foreign land. There appear to me to be two fallacies involved in this assumption. Is it necessary to import foreign labour to India at a greater cost to do the same work which an Indian would do

equally well? If the latter cannot perform it as well as a European, *cadit quaestio*, an Indian should not be placed in any position on any pay whatsoever. On the other hand, if both are equally efficient, one can hardly understand the reason of importing foreign labour at greater expense. The foreigner who makes his choice must fain accept the wages of indigenous labour. This is surely a principle of political economy which governs the employment of all labour, wherever there is no monopoly; nor is there any reason why India, because she has no voice in the government of the country, should alone be deprived of the benefits of this equitable rule. Another question is, Do Englishmen really require larger salaries than Indians? No one would suppose it is intended to confer such offices as are contemplated under the Act on men of the old, old type, now happily extinct, who administered justice in the villages of Bengal or Maharashtra dressed in a single loin-cloth. It may be assumed that offices of trust and responsibility, which require not only capacity and cultivation, but also probity and independence, would be conferred on men who form the link between Western and Eastern civilisation. The merits of these men have frequently been questioned by a new class of Anglo-Indians, but the motive is too transparent to deceive anybody. As a matter of fact, the men of culture who are growing up in India under Western influences should be considered by a wise Government as forming the nucleus of a healthy progressive organisation for the country. The style of living among these men is little inferior to that of Europeans. They all look forward to bestowing on their children the boons of a good English university education. Their ambitions, hopes, and aspirations are little behind those of cultivated Englishmen. The claims on their charity, on the other hand, are as extensive as their dependents are numerous. Can it be contended that the expenses of these men are less than those of Englishmen? Young Englishmen, going out to India, have, in the majority of cases, only themselves to support. They live in 'chummeries,' and their expenses are moderate. It is self-evident that the theory which has been put forward to justify the distinction in the pay of Indian and European officials under the new rules, is fallacious. One may well feel surprised at the absurdity of the idea that there could be any

gain to the State by the introduction of a few extra men into the service on reduced salaries whilst the main body continues on the old lines.

Turning now to the question of comparative efficiency, as the primary element in the consideration of economy, there can be no doubt that, taken as a body, the native public servants are as efficient as any ordinary European official. In personal integrity, in the simple-minded discharge of public duties, and the grasp of administrative details, they are not inferior in the smallest degree to any foreigner. If there is any tendency in some of them towards sycophantism, they cannot be said to stand alone in this respect; and the system under which they exist is directly responsible for the growth of this reprehensible habit among them as well as among foreigners. Personal integrity does not consist in incorruptibility alone; it implies that incorruptibility should be joined to freedom from all kinds of prejudices and predilections which warp the judgment. As a rule, whether from force of circumstances or otherwise, Indian officials are singularly free from prejudices. Besides, a European, however well-intentioned, labours always under certain disadvantages in the satisfactory discharge of his duties. His ignorance of the habits, customs, and usages of the people over whom he happens to be placed, and his imperfect knowledge of the vernacular languages, seriously interfere with his efficiency. Frequent miscarriages of justice are occasioned simply by want of knowledge on the part of the officers of the language of the people, and their modes of life and thought.

The judicial capacity of the Indians is universally admitted. The deputy-magistrates and other subordinate executive officers, who practically carry on the work of administration all over the country, attest the administrative talent of the native officials. With these facts staring one in the face, it is the height of unreasonableness to insist upon the continuance of imported labour. If the obnoxious rules are abrogated, as it is to be hoped they soon will be, care should be taken to avoid all distinctions between native and foreign employees. In making nominations regard should be had to the status of the individual nominee at the time. For example, if an officer happened to be drawing

Rs. 700 per month when so nominated, he should be considered eligible for an equivalent office in the Civil Service, say a joint magistracy. Were some such line of action as is here indicated to be adopted, there can be no question of an interference with vested interests, assuming that 'vested interests' have any right to be thought of in a matter of absolute justice.

As regards the question whether the number of British officials in the country is not more than is actually needed, it may be mentioned that the point has been repeatedly discussed by some of the leading organs of Indian public opinion, both Hindoo and Mahommedan. In some districts not far from one of the Presidency towns, if my information is not incorrect, there appears to be frequently such a plethora of official talent that the divisional head has a little difficulty is providing work for all his subordinates. Of course this applies to Sudder stations and places where there are native deputies to lighten the work of 'joints' and assistants. And yet young civilians are annually 'indented' to do the work which can be more effectually and inexpensively done by a less numerous body of officials. It is not for a moment implied that the Indian Government has wilfully called for more men than were required ; what India complains of is that no care has hitherto been taken to ascertain the precise requirements of the country. Of course, it is impossible now to reduce the existing number, but in future some limit ought to be imposed on the system of indiscriminate drafting.

Another question which is not out of place here is, whether so many police superintendents and assistant superintendents are really needed in places where assistant civilian magistrates are available to do the work? Nobody would advocate for a second the union of the judicial and executive functions ; nor would it be right to revert to the system, under which the police were subject to the control of the head of the district, who was partly a police and partly a judicial officer. The two functions should always be kept apart, as is the case in the Presidency towns. The principle which has been so long followed in the towns can easily be introduced in the Moffussil without entailing any extra charge on the State, and would be the means of preventing the recurrence of those cases of police oppression which so often

bring into discredit the administration of justice. But the adoption of the principle referred to ought not to interfere with the curtailment of some unnecessary offices in the Police Department. It is possible that in some large districts separate police superintendents are necessary, but there are others in which certainly they can be dispensed with, without detriment to the efficiency of the administration.

There are various other branches of the public service where retrenchment might safely be effected. The Bengal Government has recently succeeded, not without some opposition, in bringing about a considerable reduction of expenditure in one department at least. As it is desirable to avoid, as much as possible, barren controversies, it is needless to specify more particularly the directions in which such retrenchment can be achieved. A strong, conscientious chief, like the present Lieutenant-Govenor of Bengal, would easily put a stop to the undoubted waste which goes on in certain branches of the public service The vigour with which he has exposed the absurdity, not to call it by any other name, of maintaining a Bureau of Agriculture in the North-West Provinces, points him out as the fittest man to grapple effectually with the difficult questions that have to be faced shortly in India—a man who would not shrink from applying the pruning-knife where it is chiefly needed—at the top.

The legislation of the country requires serious attention. It was unfortunate that no Indian was included in the late Law Commission. A judge of the stamp of Mr. Justice Romesh Chunder Mitter, whose experience and knowledge are acknowledged and appreciated on all sides, would have rendered invaluable services to the Commission, since the task they were engaged in had reference entirely to the wants and requirements of India. It is a matter of regret also that the legislative council of India should contain so little Indian element in it really valuable. The Maharajahs, Rajahs, and Nawabs who have hitherto adorned the Viceregal Council may be very estimable men in themselves ; but, with the exception of one or two, none of them know the English language, in which the debates are conducted, sufficiently well to understand the drift of the arguments. It is difficult to see that services such men could possibly

render to the senate in its task of law-making. Whilst the Provincial Councils include some of the most talented Indians, the Supreme Council is guided in its selection of members much more by their rank and wealth than by their fitness. This is not meant as a reflection on the individual members who have had the honour of sitting in the Legislative Council of India, and who have, according to their lights, tried to be of some assistance in its deliberations. If they have failed, it is owing to no fault of theirs. The blame lies at the door of others. As long as the principle of nomination exists, and as long as the people have no voice in the selection of the men who are supposed to represent their views in the councils of the Empire, it is desirable that the number of Indian members should not be less than four, and that their presence at the Board should be judged by the standard of their usefulness and ability, and not by the titles attached to their names. In the Bengal Legislative Council five out of twelve members were. at one time, natives of India. The principle which answers so well in the Lieutenant-Governor's Council should answer equally so in the Viceroy's Council. The services of the members of the Bengal Council are purely honorary—the 'additional' members of Indian Council are allowed a sum of Rs. 10,000[2] per annum, to cover the costs of their journeys to and from Simla. Possibly some change will soon be made in the systematic migration of the Government from Calcutta for eight months in the year. The judges of the High Court, magistrates, barristers, solicitors, Small Cause Court judges, and non-official Europeans generally, who spend the major portion of their time in the plains, do not, as a rule, feel the worse for it. Would not three or four months' trip to the hills be sufficient to recuperate the flagged energies of the chief officers of Government without entailing on the country the expense of providing for the transfer of entire establishments to Simla for eight or nine months in the year? The question of the cost, not to speak of other undesirabilities, connected with the annual exodus, has been thoroughly discussed. It is to be hoped that a Liberal Government will signalise its return to power by putting some kind of check on

2. About £1,000.

the enormous expenditure which is entailed on the country on account of these trips to the famous hill-station. It is said that the Indian Government has lately tried to deal with the question by ordering all the clerks and subordinate officers to be permanently located there ! The result of this order will ultimately be, that extra clerks will have to be maintained in Calcutta at an additional expense.

In no country in the world, perhaps, is justice taxed so heavily as in India. With the exception of the Presidency towns, and except as regards suits instituted in the Presidency High Courts, suitors are subjected to the payment of a heavy *ad valorem* stamp duty on plaints, grounds of appeal, etc. Those people who have at one time or another been connected with the administration of justice in India, will bear testimony to the fact that the Stamp Act in numerous cases prevents the poorer classes from seeking redress in Courts of Justice, whereas it serves as a great engine of oppression in the hands of the rich. Judicial officers have repeatedly protested against the working of this peculiarly obnoxious Act, and the people have been crying out against it, but no heed has been paid to their complaints. If the stamp duties are intended as a prohibitory tax on justice, it unquestionably answers its purpose. But it is doubtful if it adds much to the popularity of the British Government.

The relation of the Ryots to the Zemindars, and the Ryots and Zemindars to the Government, forms one of the burning questions of the day, and has to be grappled with in earnest, and that speedily. Unquestionably the condition of the landowning and cultivating classes all over the country, and their feelings towards the British rule, are of far greater importance than even the financial difficulties of the administration. The Rumpa and the Deccan mutiny and the famous Pubna and Furreedpur riots owed their origin primarily to agrarian causes. Owing to a variety of circumstances, people connected with land have latterly incurred heavy losses in one shape or another. No doubt their own improvidence is mainly responsible for these unhappy results. At the same time, it may be asserted, without much fear of contradiction, that the general indebtedness of the landowning classes and the peasantry of India is the indirect consequence of

two causes, for which the adminstration must be held answerable. The introduction of the principle of freedom of contracts, recognised by English Courts, among an unadvanced community like the masses of India, has had the effect of throwing them completely into the hands of usurers and money-lenders.[3]

The rigorous exaction of the Government dues, in literal accordance with the requirements of the law, has often driven landowners to obtain loans on the most extortionate terms, which have led eventually to the sale of the properties. Since the abolition of the law against usury, there is no check on the rapacity of money-lenders. Again, the manner in which landed properties are set up to auction in the Moffussil in execution of decrees, without reserved bids, has the effect of knocking down estates of immense value for a mere trifle. The Deccan Ryots' Relief Act, and the measure lately introduced in the Supreme Council for the protection of the proprietors of the Jhansi district, serve to show that the Government is beginning to recognise the emergent character of the difficulties under which the landed interest in India is labouring. The relief, however, in order to be effectual, must not be partial in its nature. Some plan ought to be devised by which the benefits intended for the Jhansi proprietors may be extended to other parts of India. The system of reserved bids might also be introduced in the Muffussil to protect landowners in the sale of their properties in execution of judgment-debts and decrees. The National Mohammedan Association, at Calcutta, submitted a memorial to the Government of India on this subject, but no attention seems to have been paid to its recommendations.

The extreme rigidity of the land revenue system of India deserves the most serious consideration of every Government conscientiously bent upon removing all causes of discontent among a people who have never shown any lack of forbearance or patient endurance. The rigour with which the land tax is exacted all over India, regardless of all questions of droughts or

3. The writer of these lines knows of a case from his own forensic experience, in which a debt of Rs. 4,000 (£400) had swelled in ten years to Rs. 30,000 (£3,000).

floods (*khuski* or *gharki*), bad or good harvests, has conduced to no small extent to the present impoverishment of the country. In those parts where the Permanent Settlement is in force the rule of law is that in case of a default committed by a Zemindar in the payment of the Jamma or tax by the sunset of a day fixed, his estate is liable to be sold by public auction. The strict enforcement of this peculiarly harsh rule has acquired for it the popular designation of 'the Sunset Law'. Any one who has ever had to deal with its practical working must be aware of the numberless cases of ruin and beggary which have been occasioned thereby, and the infinite amount of trouble it causes to many.[4] In relaxing its rigour the Government will not only save itself from much odium, but strengthen its hold on the affections of the people. For can it be wondered at that scions of those houses which have suffered most should look upon the British rule as responsible for their present misery? When it is borne in mind that absenteeism is the general rule in India, that estates are left in the management of the *Dewans* and *Mutsuddis*, who alone are charged with the duty of paying punctually the Government dues ; and when it is considered how open these men are to all sorts of underhand influences, either to achieve the ruin of their masters, or their own aggrandizement, it may be thought expedient, if not just, to relax to some extent the hard and fast rule which now prevails. Fraud and collusion often lead to the sale of vast estates before the proprietors themselves have the smallest inkling of the fact. The only recourse then left to the victims is to move the District Courts to set aside the sales, but as substantial irregularities have to be proved, the chances of a reversal are few indeed.[5]

4. Of the hardships to which people are exposed in Behar and many parts of Bengal, the writer ventures to speak from some personal knowledge. With reference to the other parts, he is, of course, obliged to speak from 'secondary evidence'.

5. The perverseness of English Moffussil judges frequently causes great hardships. People go to court in quest of justice. They are turned back with what untrained administrators call Law. In one case, which occurred only a short time ago in the District of Shahabad, a large family of Rajpoots were sold out of their hearth and home under peculiarly severe circumstances. They had mortgaged their homestead lands to a money-lender, who took out execution on a decree which he obtained against them and which declared that the

A simple direction from the Board of Revenue to the revenue collectors against the strict enforcement of this law, even if it should be considered advisable to retain it on the Statute Book, may in some degree benefit the people. The collectors should, in cases of default, be required to give notice to the proprietors; and grace of a fortnight or a month should be allowed. A few simple rules to this effect would amply answer the requirements of the case.

A change in the land-laws of the country seems to be engaging the attention of the Indian Government at the present moment. It is to be hoped that the Permanent Settlement will be made applicable to all India.[6] The system of periodical settlement, whatever its advantage from a fiscal point of view, keeps the mind of the people in a state of perpetual ferment. The proprietors never feel secure in the enjoyment of their estates, and their tenants continue in as great a state of unrest as they. The Permanent Settlement, in spite of all that has been said against it, has proved on the whole beneficial to Bengal. In those parts where periodical settlements have been introduced, the condition of the people compares unfavourably with that of Bengal. The extension of the Permanent Settlement over the whole of India would save the people from the continual molestation to which they are now exposed, and probably would prove the greatest boon which could be conferred on a nation. On the other hand, the time seems to have arrived when the Indian Government should make up its mind, in spite of the opposition evinced in certain quarters, to confer transferable rights on the Ryots, *bona-fide kashtkars*,

mortgaged properties were primarily liable for the judgment-debt. At the time of execution, the judgment-debtors had in deposit in the Subordinate Judge's Court a large sum of money, and they applied to the District Judge that the decretal amount might be paid out of that sum. They also begged for time to arrange matters with the creditor, who, on his side, was not unwilling to come to terms. But the District Judge was inexorable, his view of the law being that the debt was to be satisfied by the sale of the mortgaged properties in accordance with the terms of the decree. And so the properties were put up to sale, and knocked down for a quarter of their value.

6. Should the value of land increase in any part independently of any agency employed by the landlords or tenants, Government can easily share in the accruing advantage by a well-devised system of local taxation.

holding occupancy tenures. Care should, however, be taken to prevent the peasantry from being bought out or swamped by speculative *Vakeels* or greedy *Bunniahs*. Prior to the Act X of 1859, justly regarded as the Magna Charta of the Ryots, they were more or less at the mercy of the landlords. It is possibly true that the Act of 1859 to some extent affected the Zemindars injuriously; and it may be unreservedly admitted that the Ryots as a rule are not so 'child-like' as they are occasionally represented to be. Child-like Ryots are as difficult to find in India as elsewhere. Considering, however, the enormous advantages possessed by the landlords for the enforcement of their rights, it would hardly be fair to go back, as the desire seems to be, to the old state of things. The landowning interest is strongly represented in the Councils. The Zemindars have easy access to the governing classes; their views are everywhere listened to with consideration. The voice of the Ryot remains unheard and unheeded until he calls attention to his existence by some revolting deed of agrarian violence. It is simply absurd to talk of the mischiefs likely to ensue to the Ryot were he to obtain transferable rights. Human nature and self-interest would in the end assert themselves, and insure his safety from the evils predicted. Whilst affording every facility to the landowners to realise their rents, and insuring them, in every possible way, the enjoyment of their rights, Government should not overlook the interest of the Ryots. Subinfeudation, with the concomitant evil of rack-renting, should be strictly put a stop to. Absenteeism should be discourged, and the Zemindars should be required to develop greater interest in agricultural pursuits and agricultural improvements. At the same time, a genuine desire should be promoted amongst the Ryots for improving their material condition; and this can be attained only by giving them such an interest in the soil as would be heritable as well as transferable. Some scheme should also, if possible, be devised for rendering assistance by Government loans, or the establishment of agricultural banks, to landowners and Ryots really anxious to improve their lands.

The Vernacular Press Act and the Arms Act --the need of both of which still remains unintelligible to common apprehension—it is to be hoped will soon be repealed. The arguments against

the Vernacular Press Act are familiar to the British public. But the Arms Act requires a brief mention. This measure applies exclusively to the native population. Europeans and Eurasians are exempted from the operation of the Act. In fact it proceeds upon the general assumption of the disloyalty of the natives of India. A few men here and there are specially exempted from this category, but the spirit of the Act implies a national censure. Whatever may have been the necessity for a measure to prevent arms of precision reaching the frontier tribes, a law which assumes the disloyalty of the nation as a body can hardly fail to create surprise and discontent.

These suggestions are offered in the hope that, at a time when the affairs of India are engaging public attention in England more than at any other period in its history, they might prove of some interest to those statesmen to whom has been entrusted the duty of settling the lines upon which India shall, in future, be governed. The writer has tried in these pages to present the views of the Indian nation without regard to the interest of any class or creed. He has purposely abstained from touching on those questions which are likely to give rise to controversies leading to no practical result, dealing only with matters on which there is a consensus of opinion among the people of India. Should these remarks prove to be of any use in evoking the sympathy of the British public in behalf of that country, the object of this paper will have been amply achieved.

2

MEMORIAL OF THE NATIONAL MUHAMMADAN ASSOCIATION, CALCUTTA, TO HIS EXCELLENCY THE MOST HON'BLE THE MARQUIS OF RIPON, K.G., P.C., G.C.S.I., VICEROY AND GOVERNOR-GENERAL OF INDIA, DATED FEBRUARY 1882

[From the copy in the India Office Library, London]

Respectfully Sheweth.—1. That since the time Your Excellency has assumed the reins of Government of this country, Your Excellency has evinced the greatest interest in the well-being of the people of India, and has always been animated with an earnest desire to deal equitably with all classes of the Indian community.

2. That with this knowledge of Your Lordship's solicitude for the well-being of the people confined to your care, your memorialists think it improbable that the present impoverished condition of the Muhammadans of India, as compared with their past prosperity, can have escaped Your Excellency's observation.

3. The causes which led to the decadence and ruin of so many Muhammadan families in India are, your memorialists regret to say, still at work among their co-religionists, and it is for this reason, and in the hope that Government, when it is fully in possession of the facts connected with the impoverishment of the Muhammadans, may be induced to adopt some effectual measures for their amelioration and the improvement of their present condition, that your memorialists submit this memorial for Your Excellency's kind consideration.

4. Your memorialists are convinced that no measure of reform adopted within the community would have any appreciable effect in arresting the progress of decay to which they have referred, and it is therefore that your memorialists look to Government for those steps which the necessities of the case require.

5. The depressed and desperate condition of the Muhammadans at the present moment deserves every commiseration. Whilst every community has thrived and flourished under British rule, the Muhammadans alone have declined and decayed. Every day their position is becoming worse, and the call for urgent measures on their behalf more pressing.

6. Your memorialists feel they would the failing in their duty to their Sovereign if they did not call the attention of Your Excellency's Government to the fact that there is at this moment a widespread feeling of dissatisfaction among all classes of Muhammadans in India with the present state of things. Your memorialists do not wish to be understood that this dissatisfaction amounts to discontent or disaffection, for, as a matter of fact, the Indian Muhammadans have, since the assumption of the Government of India by the Crown, cherished a sincere attachment to Her Britannic Majesty, upon whom they look not only as the lawful Sovereign of India, but as the Protector of all that is most valued by Islam.

7. No Government, however, your memorialists venture to think, would be justified in allowing the growth or continuance of feeling of dissatisfaction among any class of its subjects; and your memorialists, relying on Your Excellency's desire to acquire information from all quarters which may enable Your Excellency to discharge the duties of your high office in accordance with the dictates of your conscience, have thought it right to call prominent attention to the existence of such a feeling among the Muhammadans of India.

8. It has been sometimes said that the present impoverished condition of the Indian Mussulmans and their decadence are due to their own apathy and neglect to avail themselves of the educational advantages offered to them by Government. In order to enable Your Lordship to apprehend Muhammadan ideas on the subject, your memorialists beg to represent the following circum-

stances for Your Excellency's consideration.

9. When the British first assumed the sovereignty of the Eastern Provinces of the Mogul Emperors of Delhi, in spite of many vicissitudes of fortune, the Muhammadans still maintained the monopoly of power and wealth in their hands. The Treaty of the 12th August, 1765, by which Shah Alam, the last of the Moguls, entrusted the collection of the revenue of Bengal, Behar and Orissa to the East India Company, made no alteration in the political condition of the Muhammadans. For a series of years the Mussulmans were scrupulously maintained in their position. Until the time of Lord Cornwallis, the administration of the country proceeded on the lines of the Muhammadan sovereigns. In 1793, Lord Cornwallis, who was especially deputed to India to correct the abuses which had crept into the Company's Government, owing to the malpractices of its servants, introduced various changes into the administrative and judicial systems, all of which ultimately affected Mussulman prosperity to a material extent.

10. The measures introduced by Lord Cornwallis did not, however, make any immediate or decided alteration in the political condition of the Muhammadans, and in spite of the status which the Hindu collectors of revenue had acquired under the Permanent Settlement and the new system of judicature, the Muhammadans continued to occupy the front rank among the Indian communities. The Civil Lists of these days show a proportion of 75 per cent of Muhammadans in the service of the State. It was not until Lord William Bentinck's administration that Mussulman decadence really commenced

11. Your memorialists do not wish to occupy Your Lordship's attention by dwelling too long on the past prosperity of their co-religionists under the early English rule; but as the question of their amelioration is intimately connected with the causes which have led to their decline and impoverishment, it is necessary to describe as briefly as possible the results of Lord William Bentinck's policy.

From the first establishment of the Muhammadan power in India up to the year 1837, Persian was the official language of those Governments, including the British, which had inherited their

power from the last Muhammadan sovereigns of Delhi. The conquest of India by the Muhammadans has been achieved by men gathered from different races, speaking a variety of tongues, but the Persian language was considered sufficient for the government of India, not only by its Mussulman masters, but also by their successors in power up to the year 1837.

The contact of the Mussulmans with the Hindus gave birth to the composite language which is now called Urdu, and which is spoken by the Muhammadans all over India, with the exception of the Deltaic Districts of Eastern Bengal. From the Punjab as far down as Bhagalpur, in the Lieutenant-Governorship of Bengal, Urdu, more or less pure, is not only the vernacular of the Muhammadans, but also of the majority of Hindus. In 1837, an order was promulgated that office business should thenceforward be conducted either in English or in the Provincial dialects. The language of the people of each province and the character in which it was originally designed to be written were Persian. The plan succeeded in those provinces where the language was not Urdu or Hindustani. Hence the Tamil, the Telugu, the Mahratti, the Guzerati, and the Bengali languages superseded without much difficulty the Persian language and character in Madras, Bombay, Guzerat, and Bengal. In Behar, the North-Western Provinces and the Punjab, where the language of the people had, for several centuries, been Urdu, and which had been written in the Persian character, the attempt, whilst causing great discontent both among the Hindus and the Muhammadans, ended in absolute failure. The British Government wished to introduce the Hindi-Kaithi, written in the stiff archaic Nagari character, as the official language of these parts. But the change proposed was founded upon a misapprehension, and the attempt consequently failed signally. The Urdu written in the Persian character was substituted for Persian in Behar, the North-Western Provinces, and the Punjab. The substitution of the vernacular dialects and the vernacular character for Persian in the other provinces resulted in throwing out of employment a considerable body of Muhammadan subordinate officers, who were totally dependent for their subsistence upon the pay of Government.

12. The actual impoverishment of the middle class of

Muhammadans dates from this epoch. English-educated Hindu youths, trained for the most part in Missionary institutions, from which the Mussulmans naturally stood aloof, now poured into every Government office and completely shut out the Muhammadans. A few unimportant offices remained in the hands of the Muhammadans but year by year and day by day their number has decreased, until there has come to pass what Dr. Hunter described ten years ago in his "Indian Mussulmans," "there is now scarcely a Government office in which a Muhammadan can hope for any post above the rank of porter, messenger, filler of ink-pots, and mender of pens."

13. Whilst this radical change was introduced in the administrative policy of the country, rendering it necessary on all aspirants for office under Government to know the language of the rulers, no order was passed making English education compulsory. On the contrary, up to the year 1864, the Muhammadans were fed with the hope that their own classics were the *sine qua non* for Government employment, or for entering the professions of law. The order of Government declaring that candidates for munsiffships and pleaderships may pass their examinations either in Urdu or English, remained in force so late as 1864. A year or two later, however, a sudden change was introduced upsetting the previous orders and declaring that English alone should be the language in which the examination for higher grade pleaderships and munsiffships should be held. The measures since introduced from time to time placed the Muhammadans under a complete disadvantage. Before they had quite awakened to the necessity of learning English they were shut out from Government employment.

14. In proof of what has been stated above, your memorialists desire to mention the following facts:

In 1871 the proportion of Muhammadans to Hindus in the gazetted appointments was less than one-seventh; in 1880 the proportion fell below one-tenth! But it is in other and less conspicuous departments, where the distribution of State patronage is less closely watched, that the fate of the Mussulmans may be more accurately observed. In the Foreign Office staff, consisting, as far as your memorialists have been able to ascertain, of 54 officers, only two are Muhammadans. In the Home Department

staff, composed of 63 officers only one employee is a Muhammadan. In the Department of Finance and Revenue, formed of 75 officers, not one is a Muhammadan. In the Comptroller-General's office, with a staff of 63 officers, not one is a Muhammadan. In the office of the Secretary to the Government of Bengal (General and Revenue Department), with a staff of 90 officers of a superior grade, there is not a single Mussulman employed. The Judicial, Political and Appointment Departments, composed of 82 officers, contain not a single Muhammadan. In the office of the Accountant-General of Bengal out of 181 officers there is not one Muhammadan employee. In the Board of Revenue, out of 113 assistants, only one belongs to the Muhammadan faith. In the office of the Inspector-General of Registration in Bengal, only one Muhammadan is employed. In the Customs Department, with a staff of 130 principal officers and assistants, the Muhammadan race is conspicuous by its absence from the muster roll. In the Preventive Department, in the Calcutta Collectorate, in the office of the Director-General of Post Offices in India, there is, according to your memorialists' information, not a single Muhammadan employed. It is the same again in the Public Works Department. In the Postal Department, out of 2,035 officers, only 100 are Muhammadans. In the Department of Public Instruction, out of 573 officers only 38 are Muhammadans. In the High Court, out of 359 officers 92 are Muhammadans. In the Calcutta Court of Small Causes, out of 27 ministerial officers only one is a Muhammadan. In considering the value of this calculation in Bengal, your memorialists would draw Your Lordship's attention to the fact that one-third of the population in the Lower Provinces is Muhammadan. In the Eastern Districts, viz. Furreedpur, Pabna, Mymensingh, Rajshahye, Chittagong, Midnapore, Rangpore, etc., the Mussulmans outnumber the Hindus, in some places forming at least two-thirds of the whole population. The annexed table will give your Excellency some idea of the disproportion existing at the present moment between the official preferment bestowed upon Hindus and Muhammadans, though your memorialists are afraid it is only approximately correct and not sufficiently exhaustive.

COMPARATIVE TABLE OF MUHAMMADAN AND NON-MUHAMMADAN EMPLOYEES IN THE TOWN OF CALCUTTA

Designation of Office	No. of Christian employees	No. of Hindu employees	No. of Muhammadan employees	Total No. of employees
Foreign Department ...	39	14	1	54
Home, Revenue and Agricultural Department	39	23	1	63
Department of Finance and Commerce ...	17	58	—	75
Comptroller-General's Office ...	18	45	—	63
Bengal Secretariat (General Revenue, Financial and Statistical Department) ...	15	75	—	90
Judicial, Political and Appointment Department ...	16	64	2	82
Accountant-General's Office ...	12	169	—	181
Board of Revenue ...	24	88	1	113
Department of Issue of Paper Currency ...	11	7	—	18
Director-General's Office in Calcutta (Postal)	11	29	—	40
Comptroller-General's Office ...	34	226	5	265
Postmaster-General's Office ...	65	264	37	336
(In the Moffussil) in Western Bengal Circle (Postal Department)	7	763	22	792
In Eastern Bengal Circle (Postal Department) ...	3	151	9	163

In Bihar and Orissa (Postal Department) ...	19	353	37	409
Office of the Inspector-General of Registration	5	6	1	12
Customs Department ...	—	130	—	130
Department of Public Instruction ...	114	421	38	573
Office of the Director of Public Instruction ...	1	21	—	22
High Court (Original Jurisdiction) ...	25	91	—	116
High Court (Appellate Side) ...	20	131	92	243
Legal Remembrancer's Office ...	1	11	1	13
Presidency Court of Small Causes ...	8	18	1	27
Surveyor-General's Office ...	55	18	10	83

LIST OF EMPLOYEES IN THE MOFFUSSIL

District		No. of Hindu employees	No. of Muhammadan employees	Total No. of employees
Bhagalpore	...	113	22	135
Bogra	...	91	33	124
Bardwan	...	117	14	131
Furreedpore	...	336	30	366
Howrah	...	206	8	214
Moorshedabad	...	343	39	382
Mymensingh	...	324	20	344
Midnapore	...	460	39	499
Pabna	...	179	26	205
Purneah	...	129	59	188
Rajshahye	...	287	57	338
Barisal	...	389	34	423

LIST OF GAZETTED OFFICERS

	Christians	Hindus	Muhammadans	Total
Judges of the High Court of Judicature ...	12	1	—	13
Covenanted Civil Servants appointed in England ...	248	7	—	255
Judicial Officers in the Non-Regulation Districts ...	1	--	—	1
Deputy Magistrates and Deputy Collectors	41	153	22	216
Judges of Small Cause Courts and Subordinate Judges ...	9	44	3	56
District and Sessions Judges ...	29	1	—	30
Munsiffs ...	—	247	14	261
Police Department Gazetted Officers ...	118	38	9	165
Public Works Department ...	167	217	17	401
Medical Department	98	24	3	125
Public Instruction Department ...	53	98	6	157
Registration Department ...	4	18	3	25
Forest, Excise, Assessed Tax, Custom, Salt, Opium, Stamp, Stationery, Mint and Survey ...	300	2	—	302
Total ...	1,080	850	77	2,007

In the North-Western Provinces the disproportion between the two races is probably not so great, and yet the Hindus outnumber the Muhammadans in the Government offices. In Madras, your memorialists are informed, the proportion of the Muhammadan to the Hindu employees of Government is as 1 to 10; in the interior of the Presidency it is 1 to 33.

15. The introduction of the English language as the official language of India—the language at least which opened the door of preferment and honour—carried with it the obligation, on the part of Government, that measures should be adopted and means afforded to facilitate the study of English by the Muhammadans. Under the Treaty of 1765, they were entitled to some special consideration, and a more generous policy, your memorealists are inclined to believe, would have saved them from the condition into which they have now fallen.

16. Under the Muhammadan domination besides the Omrahs and Mansabdars—the great feudal lords and office-holders—the Ayamadars and Lakhirajdars, who held revenue-free grants from chiefs and sovereigns, contributed in no small degree to the prosperity and well-being of the community. These grants are generally made to men of learning for charitable and pious uses. The majority of the scholastic institutions were thus supported by revenue-free grants made by the sovereigns, or by endowments created by private individuals.

During the reign of turmoil and disturbance which followed the death of Aurangzeb in 1707, when the Emperors lost their hold on the outlying provinces, sanads creating ayamadari rights and lakhiraj tenures were frequently granted by the local chiefs on their own authority.

From the time when the East India Company first acquired dominion over these provinces up to the year 1828 when the Resumption Proceedings were inaugurated, the British authorities, whilst repeatedly asserting the right of the suzerain power to all grants which had not received the sanction of the Mogul sovereigns, advisedly abstained from taking any action to oust people from lands which had been handed down from generation to generation for about three-quarters of a century. The Resumption Proceedings, which lasted for eighteen years, conducted with

a degree of harshness which has left behind a legacy of bitterness. Hundreds of ancient families were ruined, and the educational system of the Mussulmans, which was almost entirely maintained by rent-free grants, received its death-blow. "The scholastic classes of the Muhammadans emerged from the eighteen years of harrying absolutely ruined." The Resumption Proceedings terminated in 1846, and since then the decline of the Muhammadans has gone on with accelerated pace.

17. Your memorialists feel assured that the circumstances to which they have adverted in the foregoing paragraph will show to Your Excellency that Muhammadan impoverishment and Muhammadan decadence are not the results of Muhammadan apathy, or of any unwillingness on their part to study the language of an alien race. At any rate, whatever may have been the feeling in former times, there is not the smallest doubt that within the last quarter of a century a strong desire has grown up among the Mussulmans for the study of the English language and literature. Their backwardness is due to their general poverty. As a matter of fact, the well-to-do middle class—the section which forms the backbone of a nation—has become totally extinct among the Muhammadans. Few Muhammadan parents are in a position to give their sons the education necessary for competing successfully with Eurasian and Hindu youths in the various walks of life. In the majority of cases Muhammadan students are compelled, from sheer want and the indigency of their parents, to abandon their studies at the very threshold of their scholastic career. His Honour the present Lieutenant-Governor of Bengal, who has always taken a lively interest in the welfare of the Muhammadans and to whom the Mussulman race owes a large debt of gratitude for all his endeavours in the case of Muhammadan education and improvement, has rendered them some assistance by the establishment of a few scholarships, and by providing for the payment by Government, in certain cases, of the schooling fees of Muhammadan students. But your memorialists regret to say this help is a mere drop in the ocean.

18. Your memorialists are fully conscious that this appeal for State assistance may possibly be regarded by hostile critics as betraying a weakness in the national character, and it may be

said that it is a mistake to rely upon State employment as the key-stone to national prosperity. Your memorialists would, however, respectfully submit that the absence of capital is a great stumbling block in the path of Muhammadan enterprise, which prevents their engaging in industrial pursuits and destroys all commercial activity.

19. Under the circumtances described in the preceding paragraphs Your Excellency cannot be surprised to learn that the Mussulmans consider themselves grievously handicapped in the race for material prosperity. For the last twenty years the Mussulmans have made strenuous exertions to qualify themselves to enter the lists successfully with the Hindus, but unfortunately with every avenue to public employment already jealously blocked by members of a different race, it is almost impossible for a Muhammadan candidate to obtain a footing in any Government office. Your memorialists do not mean by these remarks to reflect upon the Hindu community, but desire simply to call attention to a fact which, to a large extent, paralyses the action of Government. In the subordinate walks of life, the briskness of competition naturally creates jealousy, which often degenerates into intrigue, and where vested interests are concerned, it must be expected that those who are already in the enjoyment of influence or power should try to keep out others by legitimate, and sometimes illegitimate, means. When any subordinate office in a Department happens to fall vacant, the claims of the Muhammadan candidate are either not brought to the notice of the Head of the Department, or are treated with contempt or indifference. Sometimes when a Muhammadan has been fortunate to obtain an appointment, intrigues are set on foot, often not unsuccessfully, to get him out.

20. Your memorialists feel it their duty to call Your Excellency's attention to another serious grievance of the Muhammadans which relates to judicial administration. The frequent miscarriage of justice, occasioned by the insufficient acquaintance generally possessed by English and Hindu judges with the principles of Muhammadan Law, has given rise to a certain feeling of dissatisfaction and distrust among all classes of the Mussulman population in India. They allege, and not without reason, that since the

abolition of the offices of Mufti and Kazi-ul-Kuzzat—officers especially authorised to interpret and expound the Muhammadan Laws to European Judges—the Muhammadan Law has practically ceased to be administered. Even where it is attempted to be applied or enforced, the attempt is always uncertain in its result. The major portion of the Muhammadan Law regulating the domestic relations is not recognised by the courts of justic in India.

21. Your memorialists have thus far endeavoured to bring to Your Excellency's notice the present condition of the Muhammadans and their chief grievances. They have stated frankly and honestly the views of the Mussulman community regarding the difficulties under which they labour. Your memorialists deem it their duty also to represent to Government their views as to the necessary remedial measures.

22. Your memorialists would humbly suggest, in the first place, that the balance of State patronage should be restored between the Hindus and the Muhammadans. Your memorialists are aware of the orders which have, from time to time, been passed by the Government of India, as well as by the Local Governments, directing the Heads of Departments and other State officials to pay due regard to the claims of the Muhammadans, but your memorialists regret to mention that no practical gain has been derived by the Mussulmans from these orders. The reason of this appears to be twofold—firstly, the same desire to deal equitably with the Muhammadans which animates Your Excellency and the higher officials of Government does not seem to be shared by all the officers who have the actual distribution and dispensation of State patronage; and secondly, an undue importance is attached to University education. It happens frequently that when there are two candidates, one a Hindu, the other a Muhammadan, preference is given to the Hindu candidate, on the sole ground that he possesses a University certificate, although, as regards general education, the Muhammadan may possess superior qualifications. As a matter of fact, owing to some extent to the declared policy of Government, University education did not take root among the Muhammadans until very recently, the consequence of which is that, proportionately, there are fewer graduates and under-graduates among the Muham-

madans than among the Hindus. At the same time there are many Muhammadans who, without having graduated at the Calcutta University, possess as thorough an acquaintance with the English language as any ordinary B.A. Your memorialists would, therefore, humbly suggest that in the dispensations of State patronage no regard should be paid to mere University degrees, but the qualifications of the candidates should be judged by an independent standard. It will not be considered presumptuous on your memorialists' part if their venture to submit that stamina and force of character are as necessary in the lower as in the higher walks of life; and these qualities can scracely be tested by University examination.

23. Your memorialists feel sure that the numerical inferiority of the Muhammadans in the Subordinate Judicial Service, appearing on the statements which your memorialists have already submitted cannot escape Your Excellency's observation. This numerical inferiority is due to the conditions which were laid down in the year 1865 or 1866 and which since then have become more stringent, regarding the qualifications necessary for passing the higher grade pleadership examination, or obtaining a munsiffship. The condition that no one should be appointed a munsiff except a B.L. of the Calcutta University has proved seriously detrimental to Muhammadan interest. Many men thoroughly qualified to hold any judicial appointment are prevented from entering the service of the State, simply for the fact that they have not obtained an University degree. Your memorialists submit that the principle adopted by His Honour the Lieutenant-Governor of Bengal in making selections for the Subordinate Executive Service should be followed in appointment to the Judicial Service, that is, there should be no hard-and-fast rule regarding the qualifications necessary for entering the judicial service, but that if a candidate is in other respects properly qualified, the fact of his not being a B.L. should not stand in the way of his nomination. As such a principle would apply to both Muhammadans and Hindus, no outcry can possibly be raised that Government is making undue concessions to the Mussulman race. As, however, it may be urged that this suggestion of your memorialists would lay open the door to much favourtism, your

memorialists would submit that separate examination may be instituted for appointments to the Subordinate Judicial Service without the candidates being required to submit to the preliminary condition of passing the Bachelor of Arts Examination of the Calcutta University.

24. Your memorialists would humbly suggest that some comprehensive scheme, similar to the one recently devised for the Eurasian community, be framed for the education of the Muhammadans. Owing to the general impoverishment of the Mussulman community, the confiscation of their scholastic foundations, the neglect, ruin and waste of their charitable endowments, Muhammadan education has fallen entirely into the background. Muhammadan parents are not in a position to give more than a merely nominal education to their sons; family necessities and the urgency of providing for the daily wants of life force many a student to abandon his studies early in life. It is, therefore, that your memorialists are compelled to urge upon Government the absolute need of making especial provisions for Muhammadan education. Your memorialists submit that similar facilities should be accorded to the Muhammadans as are being offered to the Eurasian community. They are fairly entitled to ask that the large funds appertaining to the various endowments. which still exist under the control and direction of the Government, should be scrupulously and religiously applied to promote Muhammadan education. At the present moment there are numerous *Wakf* properties scattered over the country, most of which, besides a religious object, had originally the promotion of learning in view. Your memorialists submit that the income of these endowments should not be allowed to be wasted, but should be applied with due regard to the instructions of the donors.

25. Your memorialists fully recognise the hopelessness of reintroducing at this stage the Persian language as the official language of India. They consider that it would be decidedly retrogressive policy to attempt to do so, or even to hold University examinations in the vernacular. The step taken in 1837 renders it necessary that Government should continue in its progressive policy. Every hope for the regeneration of India

depends at present upon the spread of English education and the diffusion of Western ideas through the medium of the English language. A thorough knowledge of the English language and literature forms now the only avenue to preferment and honour. It having been admitted in principle that the natives of India should have a share in the government of their country, it is incumbent, both on the Hindus and the Muhammadans, to study diligently the language of the dominant race, their mode of thought, their science and their literature. It is for this reason, and in order that the Mussulmans may be enabled to emerge from the desperate condition into which they have fallen and take their proper place among the Indian nationalities, that your memorialists urge upon Government the adoption of the measures they have ventured to suggest.

Your memorialists would humbly suggest the appointment of a Commission, consisting of the Director of Public Instruction in these provinces, one or two European officials and some leaders of thought and advocates of reform from the Muhammadan community, to examine the whole question of Mussulman education and to devise a practical scheme for that purpose. Your memorialists urge the appointment of a separate Commission to enquire into the subject of Muhammadan education, especially as they find the Muhammadan element is most inadequately represented on the Education Commission just appointed.

In connection with this branch of their appeal to Your Excellency, your memorialists would urge upon Your Lordship's Government the necessity of preserving and utilising the existing Mussulman endowments for educational purposes. The vast accumulations of the Mohsin Foundation are, to a large extent, lying unapplied. Your memorialists would suggest that a Commission be appointed to examine into the nature of these endowments and accretions, whether they should not be applied to promote Muhammadan education and that Act XX of 1863 be amended in accordance with the suggestions of such Commission.

26. A memorial has been submitted by the people of Behar to the Bengal Government praying for the withdrawal of the order substituting the Nagari character for the Persian in the Behar

courts. Your memorialtists have no doubt that when all the facts connected with this subject are considered by the Lieutenant-Governor, His Honour will be pleased to withdraw the order in question which appears to have been made on insufficient data. The largest numbers of Hindus in the province of Behar are in their manners, their customs. and their modes of amusement, Muhammadans. Their polish and their culture are derived from the Mussulmans. They pride themselves upon speaking pure Urdu. The change in question has proved vexatious to all the educated classes in Behar. Urdu has been the language of the province for several centuries. It is not only intelligible to the masses, but it is, in a more or less modified form, spoken by everybody. It is a matter of everyday occurrence in Behar that persons, who belong strictly to the masses, are brought before the courts of justice either as witnesses or as parties. An illiterate cultivator, from a village remote from town, stands in the witness box before a European officer who knows no other Native Language than Urdu or Hindustani. An educated pleader stands up to examine or cross-examine him. The questions put and the answers received are literally in Urdu or Hindustani, and neither the Urdu-knowing officer nor the so-called Hindi-knowing villager feels the least difficulty in communicating his ideas to the other without the assistance of an interpreter. The unnecessary introduction of the Nagari character into the law courts of the Province of Behar has tended to irritate the Muhammadans without satisfying the advocates of Hindi, who are now clamouring for a change of language. The difficulty of rapidly writing Nagari and expressing accurately legal expressions and ideas in the character makes it objectionable to all classes of people.

27. Your memorialists would respectfully urge upon Government the necessity of improving the administration of the Mussulman Law. Your memorialists would accordingly suggest the appointment in the moffussil of a number of Muhammadan judges qualified to expound the Muhammadan Law; in fact, to sit as Assessor-Judges in the trial of Muhammadan cases. In the High Courts of Calcutta, the North-Western Provinces, Madras and Bombay, as well as in the Chief Court of Lahore, a Muhammadan judge should be appointed to assist the European and

Hindu judges in administering properly the Mussulman Law. As regards the appointment of Muhammadan judges in the High Courts of India, it is a matter respecting which the Mussulmans may fairly consider themselves aggrieved; for whilst several Hindu judges have been appointed in Madras, in Bombay, and in Calcutta, no Mussulman has been fortunate enough to obtain a seat on the Bench of the superior tribunals.

28. Your memorialists have ventured to offer these remarks in the hope that by honestly and faithfully representing Muhammadans' ideas with regard to their alleged grievances and the remedial measures which seem necessary from their point of view, your memorialists may render some assistance to Your lordship in achieving the object which Your Lordship has in view, namely, the welfare of the people of India at large. Your memorialists feel assured that Your Excellency would not willingly allow the Mussulman race to continue in its present condition of decadence and depression—a condition which, your memorialists believe, is alike injurious to the community as to the interests of the Empire.

And your memorialists, as in duty bound, shall ever pray.

3

A CRY FROM THE INDIAN MAHOMMEDANS

[*The Nineteenth Century*, August 1882, pp. 193-215]

The over-sensitiveness of Indian Government and its subordinate officers to outside criticism has the tendency to discourage, among the intellectual and educated classes of India, the frank expression of political feelings, even when their publication is likely to prove of value to the Government itself. An honest criticism is often construed into a hostile attack; and outspoken comments on the policy of Government, however legitimate in their character, are not unfrequently supposed to imply disloyalty. In Bengal, however, the Hindoo community is enabled, by the wealth and education of its representative members, to ignore to some extent this liability to disfavour, and express its views on important questions affecting its own interest with sufficient candour and emphasis to reach the ears of the governing classes. The Mahommedans possess neither the wealth nor the education of the Hindoos; and, in consequence, have generally failed to attract the attention of the authorities to their grievances.

I propose in this paper to point out what are the requirements and the legitimate expectations of the Mussulmans of India, and to suggest in what way the benevolent intentions of Her Majesty's Government, for the amelioration of this large class of her subjects, may be best carried out. Unless effective measures of reform are adopted, and that without delay, the unsatisfactory condition of the Mahommedans threatens to become a source of anxiety and danger to British administration in India.

Within the last twenty-five years great changes have taken place in India, and during this time every community under British rule has prospered, except the Mahommedan, which stands alone as the marked and disappointing exception. It is no exaggeration to say that English officials generally are at this day as far from understanding the real feelings of the Indian Mahommedans as they were half a century ago. Want of sufficient interest, on one side, and absence of qualified exponents, on the other, explain the imperfect knowledge possessed by the official world of India with regard to the Mussulmans. There is an increasing desire, however, to deal equitably and generously with them, and it therefore becomes important that the statesmen who at the present moment rule the destinies of India should be enabled to judge of the requirements of the Mohammedans in connection with their alleged grievances. That a homogeneous people like the Mohammedans of India, numbering fifty millions and having a common language and religion, should be discontented with the position they now occupy, is a matter for the serious consideration of the administrators of Indian policy.

At the time when the British first established themselves as the governing power in Bengal, the Mussulmans were, notwithstanding many disastrous changes, yet indubitably the paramount race in India. In spite of the effeminacy which had to some degree sapped their former vigour, their traditions still continued to inspire them with energy, and to infuse such strength and vitality into their forms of government as enabled them to maintain their political supremacy undisputed in many parts of the crumbling Empire of the Moguls. In 1757, the battle of Plassey was fought, which virtually placed the eastern portion of the Mogul dominions in the hands of the British. On the 12th August, 1765, the formal grant of the Dewanny, or the collection of Government revenue, was made by Shah Alum to the East India Company. No material change was effected in the political condition of the Mahommedans or their system of government by this transfer of sovereignty. They continued to occupy the same position of influence and trust under the British as under the Mussulman emperors. The official language continued to be Persian. The Nizamat or administration of criminal justice was

entrusted to the Nawab Nazim, whereas the East India Company, by virtue of the office of Dewan, assumed the charge not only of collecting the revenues, but also of administering civil justice. For some time subsequent to this assumption of power, the British Government advisedly left the entire administration, both for fiscal and judical purposes, in the hands of native officers, the majority of whom were Mahommedans.

The changes introduced, however, in 1793, in the civil administration of the country had an important bearing on the fortunes of the Mahommedans. Most of these changes affected the Mohammedans indirectly only, but their general tendency was to deprive them of their influence and status. Up to this period the higher offices, fiscal as well as judicial, were filled by Mussulmans. A great proportion of the executive administration was also in their hands. In 1793, Lord Cornwallis introduced the system which forms the basis of the law throughout India at the present time. He separated the collection of the revenue from the administration of justice, and vested the functions in different officers. The higher executive appointments were reserved exclusively for Europeans; only the subordinate officers of police being natives. The courts of civil judicature formed a regular gradation, the lowest in the series being the courts of the native commissioners, with power to hear and decide cases where the subject-matter of the suit did not exceed fifty rupees in value The native commissioners were of three denominations : namely, *Ameens* or referees, *Salisan* or arbitrators, and *Munsiffs* or native justices. The second description of courts were those of the registrars, who were covenanted servants attached to the zillah and city courts, empowered to try and decide cases for an amount not exceeding two hundred rupees. Next in order were the zillah and city courts, twenty-six in number, which were each presided over by a single judge, being a covenanted servant, assisted by Hindoo and Mahommedan law officers and a registrar, having cognizance of all civil suits in the first instance ; their decisions, however, were not final, and were appealable in all cases to the provincial courts. The provincial courts of appeal, which were four in number, were the fourth in the ascending scale, and were each presided over by three European judges. These were established : one in the vicinity

of Calcutta, one at the city of Patna, one at Dacca, and the fourth at Moorshidabad; they were provided respectively with a registrar, a Kazi, a Mufti and a Pandit, and with a competent number of native ministerial officers. The Sudder Dewanny Adawlut was established at the Presidency, and consisted of the Governor-General and members of the Supreme Council. Criminal justice was administered by the zillah and city judges, who were constituted magistrates.

In 1814, the office of Sudder Amin was created, which afforded further scope for the employment of the natives of India in the judicial service, and this was extended in 1832, when the office of principal Sudder Amin was established. Throughout this period, as will be observed, the Mussulmans enjoyed the largest share of Government patronage. The grant of the Dewanny to the English by a Mussulman emperor would seem to have sealed a compact that the English would, as far as possible, endeavour to carry on the government of the country in accordance with the Mussulman system. As Dr. Hunter appropriately points out, there can be little doubt that both parties to the contract understood it to be so. For a series of years after the grant of the Dewanny, up to the time of Lord Amherst, the British ostentatiously styled themselves the vassals of the Mogul emperors. For about half a century the Mussulmans were scrupulously maintained in their positions. Silently, secretly and insidiously, as the Mahommedans allege, the thunderbolt was forged which was to overwhelm with ruin their status and power and privileges. The withdrawal from the Mahommedan jagirdars of the power of collecting the Government revenue, and the substitution of the English collectors for the Mahommedan fiscal officers were the first great blows dealt at their political position. This was a usurpation of the most serious character. It was in direct conflict with the spirit of the treaty concluded between Shah Alum and Clive. The full effect of this measure, however, was not felt until after the introduction of the permanent settlement. It was then that the Mahommedans perceived how entirely their race had been deprived of the most cherished of their privileges. The policy of this great measure, which marks an epoch in the history of British rule in India, forms now the subject of

much earnest debate between the present landholders and the supporters of Government. Its effect on the position of the Mahommedans of these provinces has attracted, however, little attention. No apology, therefore, is needed for quoting a passage on this suject from the eloquent pages of an author who may with justice be regarded as one of their sincerest well-wishers:

> The greatest blow which we dealt to the old system was in one sense an underhand one, for neither the English nor the Mahommedans foresaw its effects. This was the series of changes introduced by Lord Cornwallis and John Shore, ending in the permanent settlement of 1793. By it we usurped the functions of those higher Mussulman officers who had formerly subsisted between the actual collector and the Government and whose dragoons were the recognized machinery for enforcing the land tax. Instead of the Mussulman revenue farmers with their troopers and spearmen, we placed an English collector in each district with an unarmed fiscal police attached like common bailiffs to his court. The Mahommedan nobility either lost their former connection with the land tax, or became mere landholders with an inelastic title to a part of the profits of the soil.[1]

Another English officer, one of the ablest men in the Indian Civil Service, thus sums up the change effected by the permanent settlement in the condition of the Mussulmans. He says: 'It elevated the Hindoo collectors, who, up to that time, had held but unimportant posts, to the position of landholders, gave them a proprietary right in the soil, and allowed them to accumulate wealth which would have gone to the Mussulmans under their own rule.'[2] It has been said that the corruptions and one-sidedness of the Mussulman administration rendered it necessary for the British Government, in the interests of the subject people, to break through the fiscal monopoly of the Mussulmans. But was it necessary, the Mussulmans are entitled to ask, to ruin them by taking away their lands and giving them to their Hindoo bailiffs? Was it necessary to deprive them of influence and wealth and reduce them to their present impoverished and subordinate condition?

1. Dr. Hunter.
2. Mr. J. O'Kinealy.

In other parts of India, in tracts more recently acquired, where the same causes have not been allowed to operate, the condition of the Mussulmans is probably not so bad. But in the provinces of the north-west, the decadence of many leading families is due to the great social upheaval which ensued after the mutiny. In the provinces of Bengal, Behar, and Orissa—obtained from a Mussulman emperor on a solemn pledge that the Mussulman system of administration would, as then established, be continued—what crimes, the Mahommedans ask, have we committed to deserve the punishment which has been inflicted on us?

It was under Lord William Bentinck, however, that the Mussulmans suffered most severely from the inconsiderate policy of the British Government. In 1828 the British Government directed an examination into the title-deeds of the *Aimadars* and *Lakhirajdars*. 'Special courts were created, and during the next eighteen years the whole province was overrun with informers, false witnesses, and calm, stern resumption officers.' The scene of confusion and terror which ensued is well described in the graphic pages of Hunter and Buchanan, but the tale of woe can only be fully realised when heard either from the lips of those who suffered from the spoliation, or from their descendants. Mahratta rapine, as well as 'the silent inroads, of time and white ants,' had caused havoc among the title-deeds of successive generations. The prescriptive title, however, which had grown up by the efflux of time, had been respected, not only by the Mahratta marauders, but also by the British for seventy-five years. Property had been handed down from father to son without question or cavil. At the best the ruling power was entitled only to claim its revenue. But the British Government exerted the strong arm of its power, and ousted all who failed in establishing, to the technical conviction of a legal court, their full title under written grants from the Mogul emperors.

The great famine of 1770 had impoverished thousands of Mahommedan families in common with the Hindoos. The Cornwallis Settlement had followed; it affected only the rent-paying Jagirdars; and now came the resumption proceedings. These proceedings, though intended to apply to both Hindoos and Mussulmans, fell most heavily on the latter. The Hindoos, when

they possessed any revenue in free grants, for the most part had but recent titles, which, with the usual astuteness of their race, they took care to secure against all future attacks. The Mahommedans, on the other hand, in a sense of security, had allowed the muniments of their litle-deeds to be lost or destroyed. Every Mahommedan family that failed to prove the *sanads* under which it held proprietary rights, as gifts from the Imperial Court of Delhi, was immediately ousted from possession. Similarly, every Mahommadan endowment, where the grant was open to the smallest question, was declared invalid. Hundreds of princely families were thus completely beggared. In one district alone, out of a body of fifty-five Lakhirajdars, forty-nine were ousted form possession. The pleaders who conducted the proceedings, the witnesses who gave suborned testimony, the informers who carried tales to the resumption officers, were enriched, but the Mahommedans of these provinces, as a community, became completely ruined. The rigid and relentless character of the proceedings is well illustrated by the refusal of the Government to recognise as valid the grants of the Nawab Vizier in the 'Ceded Provinces.'[3]

At an outlay [says Dr. Hunter] of 800,000£ upon resumption proceedings, an additional revenue of 300,000£ a year was permanently gained by the State, representing a capital at 5 per cent of six millions sterling. A large part of this sum was derived from lands held rent free by Mussulmans or Mahommedan foundations. The panic and hatred which ensued have stamped themselves for ever on the rural records. Hundreds of ancient families were ruined, and the educational system of the Mussulmans, which was almost entirely maintained by rent-free grants, received its deathblow. The scholastic classes of the Mahommedans emerged from the eighteen years of harrying, absolutely ruined. Any impartial student will arrive at the conviction that while the resumption laws only enforced rights which we had again and again most emphatically reserved, yet that the proceedings were harsh in the extreme, and opposed to the general sense of the Indian people. Prescription cannot create rights in the face of express enactments, but seventy-five years of unbroken possession give rise to strong claims on the tenderness of a Government. Our resumption officers knew no pity. They enforced the law. The

3. Buchanan.

panic of those days is still remembered, and it has left to us a bitter legacy of hatred. Since then the profession of a man of learning, a dignified and lucrative calling under native rulers, has ceased to exist in Bengal. The Mahommedan foundations suffered most, for with regard to their title-deeds, as with regard to all other matters, the former conquerors of India had displayed a haughty indifference unknown to the provident and astute Hindoos. We demanded an amount of proof in support of rent-free tenures, which, in the then uncertain state of real property law, they could not have produced in support of their acknowledged private estates. During seventy-five years we had submitted under protest to a gigantic system of fraud, and the accumulated penalty fell upon a single generation. Meanwhile, the climate and white ants had been making havoc of their sanads and title-deeds.

The waves of adversity, which have one after another passed over the Mahommedans of India, have left the great majority of the leading families stranded, and a large proportion completely wrecked. Few Englishmen are aware of the material which has been thus destroyed. The destruction of the Mussulman aristocracy has proved as injurious to the interests of the community as to those of the State. Whatever desire there may be on the part of the British to retrace the past, nothing can ever replace what has been lost. No number of *khillats* or fair words will restore to active life the nobility of the *ancien regime*. Few can help mourning the fate of the families whom a policy of neglect and apathy has levelled with the dust. The remains of their places and mosques, the weed-grown tanks, the tumbling wells, the broken canals, the ruined *Khankhas*[4] which lie scattered all over the land, tell the sad story of Mussulman decay. Travel where you will, to the eastern districts of Bengal, to Behar, or to the North-Western Provinces, the same lamentable signs of departed greatness strike the eye.

Another great change, which materially accelerated the ruin of the Mussulmans, was introduced simultaneously with the resumption proceedings.

The conquest of India by the Mahommedans had been achieved by men gathered from different races, speaking a variety of

4. Places of refuge for poor wayfarers—rest-houses.

languages. The Mongolian Turk spoke Turki ; the Afghan Pushtu ; the Persian his own tongue. But the language in which Hassan Maimandi conducted the business of the widely extended empire of Mahmud the Ghaznevide, was considered sufficient for the Government of India by its Mussulman masters. The contact of the Mussulmans with the Hindoos gave birth to the language which is now know as Urdoo. Public business was transacted in Persian, with which the Hindoos were well acquainted. As far back as 1500 C.E. Hindoo writers had begun to compose works in that language. At the end of the sixteenth century, a knowledge of Persian had become so universal that 'the chancellor of the empire, himself a Hindoo, commanded that the public account should thenceforward be written in Persian'. But whilst Persian was the official language of the empire, Urdoo formed the ordinary vehicle of intercommunication between the divers races which were brought together by the Mahommedan conquest. Rich, plastic, and flowing, it is by far the most copious of the living languages of India. It found its origin in the camp, as its name signifies, and it attained its full development in the magnificent and polished court of Shah Jehan. In Northern India, including the province of Behar, the Mahommedans were, as a general rule, the descendants of the old settlers from the countries westward of the Punjab, or of converts from the higher Hindoo castes, like the Rajpoots, who on their conversion were designated Pathans, and into whose fraternity they were admitted on account of kindred sympathies and character. The vernacular language of the Mussulmans in those parts is Urdoo or Hindustani. From Punjab as far down as Bhagulpore, in the Lieutenant-Governorsnip of Bengal, Urdoo, more or less pure, is not only the vernacular of the Mahommedans, but also of the majority of the Hindoos. After Bhagulpore commences the region of the Bengali dialect. If a straight line were drawn, dividing the district of Purneah into two, from north to south, and were then continued through the districts of Bhagulpore and Beerbhom, it would roughly mark off the two regions.

In recent times many Mahommedan families, from the north-west and Behar proper, have settled in Bengal. These are called Hindustanis, and few of them ever understand Bengali. In most

of the districts of Upper Bengal, such as Beerbhom, Midnapore, Dinajpore, Maldah, Purneah, and to some extent the English district of Twenty-four Pergunnahs, the Mahommedans speak Urdoo, though not with the same purity as a native of Lucknow or Dehli, and know only enough of Bengali for the purposes of social intercourse with their Hindoo neighbours.

Eastward, Urdoo becomes merely the town language of the Mahommedans, Bengali being the vernacular of the rural Mussulmans, as it is, to some extent, of the population of Upper Bengal. And so it goes on diminishing in influence, until at last, in the deltaic districts, it loses all its vitality, the Mussulmans here speaking a patois of the Bengali dialect.

From the first conquest of India by the Mussulmans, until the year 1837, Persian was the official language of India proper. In 1837, the fiat went forth that office business should henceforward be conducted either in English or in the provincial dialects. The language of the people of each province, and the character in which it was originally designed to be written, were fixed upon as the most convenient and practicable substitute for the Persian. The policy which dictated this order was in fact a policy of disintegration. The plan succeeded in those provinces where the language was not Urdoo or Hindustani. Hence the Tamil, the Telugu, the Mahratti, the Guzerati, and the Bengali languages superseded without much difficulty the Persian language and character in Madras, Bombay, Guzerat, and Bengal. In Behar, the North-Western Provinces, and the Punjab, where the language of the people had for several centuries been Urdoo, and had been written in the Persian character, the attempt, whilst causing great discontent both among the Hindoos and the Mahommedans, ended in absolute failure. The British Government wished to introduce the Hindi-Kaithee, written in the stiff archaic Nagari character, as the official language of these parts. But the change proposed was founded upon a misapprehension, and the attempt subsequently failed signally. The Urdoo, written in the Persian character, was substituted for Persian in Behar, the North-Western Provinces, and the Punjab. The substitution of the vernacular dialects and the vernacular character for Persian in the other provinces resulted in throwing out of employment a considerable

body of Mahommedan subordinate officers, who were totally dependent for their subsistence upon the pay of Government. Had the change been foreshadowed for some years previous to its actual introduction, and had time been given to them to acquire a knowledge of the provincial dialects, they would certainly have been able to retain their position against any fair competition. Like the English, the ruling class of Mussulmans treated the languages of the subject races with contempt. They were as ignorant of Bengali, Uriya, Mahratti, Telugu, Tamil, as any ordinary Englishman is at the present day. Without the least warning, the storm of sentimental changes burst over their devoted heads and ruined them.

But, like the 'still-vext Bermoothes,' the mind of Government knew no rest. Sir George Campbell, bent on reforms, refused to admit the failure of 1837. Accordingly, in 1872, in a memorable resolution which took the Mussulman community completely by surprise, he issued the following executive mandate :

> That for the future, Hindi in the Nagari character should take the place of Urdoo, in the Patna and Bhagulpore divisions, with the exception that (1) where anything had to be written in such documents, as processes, notifications, proclamations, bonds, and attestations, it might be written in Kaithi ; and that (2) the Persian character should be retained for the regular office-writting, care being taken that the language used was simple and in vernacular use and not foreign and artificial.

The policy of this order was discussed in the columns of an able local paper, *The Indian Observer*, and the folly of the measure and the inaccuracy of the data, on the which the resolution was based, were pointedly and conclusively exposed. This had the effect of mitigating to some extent the fierceness of Sir George Campbell's onslaught on Urdoo. Under Sir Richard Temple's rule the question remained in abeyance. But the advocates of Nagari have become once more triumphant ; and their successful and continued agitation has borne fruit in the following order by the present Government, that 'this character should be exclusively used from the 1st of January, 1881, throughout the Patna division and in such districts of the Bhagulpore division as might afterwards

be notified, and that the issue from the courts of any documents in the Persian character, except as exhibits, should be absolutely forbidden.'[5]

It remains to be seen whether this edict will achieve the regeneration of the Hindoos of Behar, by relieving them from the intolerable hardship (which, however, does not seem to have oppressed them very severely) of having 'no medium of intercommunication with the authorities except a character alien to them'.

I now come to examine the position of the Mahommedans as regards civil and political employment under the British Government. It is a recognised fact that before Lord William Bentinck's time, the Mahommedans enjoyed the major share of State patronage. Since 1828, however, the case has been different, and the Hindoos have taken the place of Mahommedans in every branch of official life. In 1871, Dr. Hunter wrote as follows: 'Even ten years ago, the Mussulmans invariably managed to transmit the post of Nazir, or chief of the revenue bailiffs, to men of their own creed, but now one or two unpopular appointments about the jail are the most that the former masters of India can hope for. The staff of clerks attached to the various offices, the responsible posts in courts, and even the higher offices in the police are now recruited from the pushing Hindoo youth of the Government schools'. At the time when Dr. Hunter wrote, the proportion of Mahommedans to Hindoos in the gazetted appointments was less than one-seventh; since 1880 the proportion has fallen below one-tenth. But it is in other and less conspicuous departments, where the distribution of State patronage is less closely watched, that the fate of the Mussulmans under the British rule may be more accurately observed. In the Foreign Office staff, consisting of fifty-four officers, only one is a Mahommedan.[6] In the Home Department staff, composed of sixty-three officers, only one employé is a Mahommedan. In the departments of Finance and Revenue, formed of seventy-five officers, not one is a Mahommedan. In the Comptroller-

5. The order in question has exasperated the Mahommedans without satisfying the advocates of Nagari, who are now clamouring for a change of language.

6. I cannot vouch for the absolute accuracy of the figures; but they may be taken as approximately correct.

General's office, with a staff of sixty-three officers, not one is a Mahommedan. In the office of the Secretary to the Govenment of Bengal (General and Revenue Department), with a staff of ninety officers of a superior grade, there is not a single Mussulman employed. The Judicial, Political, and Appointment Departments, composed of eighty-two officers, contain not a single Mahommedan. In the office of the Accountant-General of Bengal, out of 181 officers, no Mahommedan enjoys office. In the Board of Revenue, out of 113 assistants, only one belongs to the Mahommedan faith. In the office of the Inspector-General of Registration in Bengal, one Mahommedan only is employed. In the Customs Department, with a staff of 130 principal officers and assistants, the Mahommedans are conspicuous by their absence from the muster-roll. In the Preventive Depatment, in the Calcutta Collectorate, in the office of the Director-General of Post-Offices in India, there is, as far as I have been able to ascertain, not a single Mahommedan employed. In the Postal Department, out of 2,035 officers, only 110 are Mahommedans. In the Telegraph Department, none. It is the same again in the Public Works Department. In the department of Public Instruction, out of 421 officers, only thirty-eight are Mahommedans. In the High Court, out of 298 officers, only forty-seven are Mahommedans. In the Calcutta Court of Small Causes, of twenty-seven ministerial officers, only one is a Mahommedan. In considering the force of this calculation in Bengal, it is well to remember that one-third of the population as least is Mahommedan. In the Eastern districts, viz., Fureedpore, Pubna, Mymensingh, Rajshaye, Chittagong, Midnapore, Rungpore, &c., the Musulmans outnumber the Hindoos, in some places forming two-thirds at least of the whole population. The annexed table will give some idea of the disproportion existing at the present moment between the official preferment bestowed upon Hindoos and Mahommedans:

COMPARATIVE TABLE OF MAHOMMEDAN AND HINDOO EMPLOYEES IN THE TOWN OF CALCUTTA AND THE MOFFUSSIL

Designation	Number of Hindoo Employees	Number of Christian Employees	Number of Mahommedan Employees	Total Number of Employees
Office of the Private Secretary to His Excellency the Viceroy ...	3	15	—	18
Foreign Department ...	39	14	1	54
Home, Revenue, and Agricultural Department ...	39	23	1	63
Department of Finance and Commerce ...	17	58	—	75
Comptroller-General's Office ...	18	45	—	63
Bengal Secretariat (General, Revenue, Financial and Statistical Departments) ...	15	75	—	90
Judicial, Political, and Appointment Department ...	16	64	2	82
Accountant-General's Office ...	12	169	—	181
Board of Revenue	24	88	1	113
Department of Issue of Paper Currency	11	7	—	18
Postal Department:				
Director-General's Office in Calcutta	11	29	—	40

Designation	Number of Hindoo Employees	Number of Christian Employees	Number of Mahommedan Employees	Total Number of Employees
Comptroller's Office (*Postal*) ...	34	226	5	265
Postmaster-General's Office ...	65	264	37	366
(In the *Interior* or *Moffussil*) in Western Bengal Circle ...	7	763	22	792
In Eastern Bengal Circle ...	3	151	9	163
In Bihar & Orissa ...	19	353	37	409
Office of the Inspector-General of Registration ...	4	6	1	11
Customs Department	—	130	—	130
Office of the Director of Public Instruction ...	1	21	—	22
High Court Original Jurisdiction ...	25	91	–	116
High Court (Appellate side) ...	20	115	47	182
Legal Remembrancer's Office ...	1	11	1	13
Presidency Court of Small Causes ...	8	18	1	27
Surveyor-General's Office ...	55	18	10	83
Department of Public Instruction	61	421	38	573[7]

7. This does not include appointments at the disposal of the Circle Inspectors.

LIST OF THE EMPLOYEES IN THE MOFFUSSIL

Districts		Number of Hindoo Employees	Number of Mahommedan Employees	Total Number of Employees
Bankipore	...	25	13	38
Bhagulpore	...	113	22	135
Bogra	...	91	33	124
Burdwan	...	117	14	131
Fureedpore	...	336	30	366
Howrah	...	206	8	214
Moorshidabad	...	343	39	382
Mymensingh	...	324	20	344
Midnapore	...	460	39	499
Pubna	...	179	26	205
Purneah	...	129	59	188
Rajshaye	...	287	51	338
Barisal	...	389	34	423
Gyd	...	144	31	175[8]

On referring to the 'gazetted appointments,' the following table will show the exact relative position occupied by the Mahommedans and Hindoos:

LIST OF GAZETTED OFFICERS

	Christians	Hindoos	Mahommedans	Total
Judges of the High Court of Judicature	12	1	...	13

8. I have not been able to obtain the statistics of several important districts, but I know for certain that the existing disproportion between Hindoos and Mussulmans is as great there as in the districts mentioned in the table.

	Christians	Hindoos	Mahommedans	Total
Covenanted Civil Servants appointed in England ...	248	7	--	255
Judicial Officers in the non-regulation districts ...	1	—	—	1
Deputy Magistrates and Deputy Collectors ...	41	153	22	216
Judges of Small Cause Courts and Subordinate Judges	9	44	3	56
District and Sessions Judges ...	29	1	—	30
Munsiffs ...	—	247	14	261
Police Department Gazetted Officers...	118	38	9	165
Public Works Department ...	167	217	17	401
Medical Department ...	98	24	3	125
Department of Public Instruction ...	53	98	6	157
Registration Department ...	4	18	3	25
Forest, Excise, Assessed Tax, Custom, Salt, Opium, Stamp, Stationery, Mints and Survey	300	2	—	302
Total ...	1,080	850	77	2,007

In the North-Western Provinces the disproportion between the two races is probably not so great, and yet the Hindoos outnumber the Mahommedans in all the Government offices to an extent which only those who have studied the subject carefully can fully comprehend. In the districts of Cawnpore, for example, there are 104 Hindoos to thirty-four Mahommedans.[9] Probably the pressing consideration of English political questions and the excitement of party contests leave little time to those entrusted with the destinies of India to give a careful and considerate examination to the grievances of the Mussulman race which loudly call for redress. But when the English talk of the 'dark ingratitude of the Mussulmans in not appreciating the benefits of the British rule,' when they dwell on the common topic of Mussulman disloyalty and Mussulman disaffection, it will be well to remember the wrongs, both sentimental and substantial, which this class of Her Majesty's Indian subjects has had to endure. It is impossible for those who have especial powers of observation to shut their eyes to the fact that there is a wide and deep feeling of discontent existing at the present time among the Indian Mahommedans, and there is every danger if the feeling of discontent be allowed to grow chronic, that it will at some time, not far distant, develop into an active feeling of disaffection. Whilst, as I have said before, almost all the other Indian nationalities have prospered under the British rule, the Mussulmans alone have declined. Is it not natural that they should compare their former condition of prosperity, even under the early English Governor-General, the large-minded, far-seeing statesmen of the type of the Marquis of Wellesley and the Marquis of Hastings, with their present degraded condition, when the scions of the noblest houses find themselves actually in want of their daily means of subsistence?

The present Lieutenant-Governor of Bengal, whose term of office, unfortunately for this province, is fast drawing to a close, has personally done much to improve the prospects of the Mussulmans. And within the last twenty years the Mahommedans themselves have made the most strenuous exertions to qualify them-

9. In Madras, the proportion of the Mahommedan to Hindoo employees of Government is as 1 to 10; in the interior of the Presidency it is 1 to 33.

selves for competition with the Hindoos under English rule.[10] The fact, however, remains that with every avenue to public employment already jealously blocked by an antagonistic and versatile race, it is almost impossible for a Mussulman candidate to obtain a footing in any Government office. In every walk of life, in every matter, whether it concerns the disposal of a post or the dispensing of State hospitality, the Hindoo has obtained an influence which he will not willingly share with another. I make these remarks without the smallest animus against the Hindoos, amongst whom I reckon many friends; but a sense of duty compels me to point out the disadvantageous circumstances under which the Mussulmans are found to labour. The independent professions form no exception to the rule, and are, for the most part, the monopoly of the Hindoos. Forty years ago, the Mahommedan pleaders of the old Sudder Dewanny Adawlut formed by their wealth as well as by their number a most influential body of citizens. In 1881, out of a hundred or more pleaders practising in the High Court of Calcutta, only two are Mahommedans. Out of ninety-seven attorneys, only one is a Mahommedan. Excluding the higher medical officers who hold gazetted appointments, there are in Bengal about 200 assistant surgeons. Out of these, if my information be not incorrect, only four are Mahommedans. It is difficult to believe that the Government of Lord Ripon can be oblivious of the danger involved in a continuance of this unfortunate situation.

But the charge which the Indian Mussulmans prefer against the British Government does not rest here. The gravest count of their indictment refers to judicial administration. The not unfrequent [*sic*] miscarriage of justice arising from the insufficient knowledge of Mahommedan law possessed by English and Hindoo judges has

10. I ought to warn my co-religionists that they must not leave out of their calculation another rather unexpected body of competitors, besides the Hindoos, in the race for material prosperity. Since the Indian Government has undertaken the support and education of the Eurasian youths out of the general revenues of the Empire, and has almost pledged itself to further their interests, it behoves both Hindoos and Mahommedans to exert themselves more strenuously than ever, if they do not wish to be beaten by rivals backed by Government.

given rise to a deep-seated feeling of dissatisfaction and distrust among all classes of the Mussulman population in India. They allege, and not without reason, that since the abolition of the offices of *Mufti* and *Kazi-ul-Kuzzat*, officers especially authorised to interpret and expound the Mahommedan law to European judges, the Mahommedan law has practically ceased to be administered. Even where it is attempted to be applied or enforced, the attempt is always uncertain in its result. The major portion of the Mahommedan law regulating the domestic relations is not recognised by the courts of justice in India. They decline to exercise matrimonial jurisdiction over Mahommedans. A Mussulman wife is entitled under the Mahommedan law to a judicial divorce from her husband for desertion or ill-treatment. Under the British Government there is no court to give her the redress the Mussulman law provides for her. The Criminal Court may order for her a separate maintenance on the ground of ill-treatment, but it cannot dissolve the marriage. The non-administration of the Mahommedan domestic law, combined with the absence of a stringent system of compulsory registration of marriages and divorces among the Mussulmans, such as was maintained under the Mussulman Government, has given birth to serious evils. These evils have within the last twenty years assumed a magnitude sufficient to attract the attention of Government. Consequently in 1876 an optional measure of registration was passed into law. with no small amount of trepidation lest the action of Government might hurt the tender feelings of the ignorant section of the Mussulman community. No step, however, has yet been taken to improve the administration of the Mahommedan law.

I have thus far endeavoured to state briefly, without exaggeration and without bias, the chief grievances of the Mussulmans of India. I now propose to offer a few practical suggestions, from a Mahommedan standpoint, for the solution of the Mussulman problem. The unsatisfactory condition of the Mahommedans has already forced itself on the attention of Government. It is necessary, therefore, that the views of the Mussulmans themselves, as to the remedial measures essential for their well-being, should be plainly and publicly stated. The time for mere sentimental expressions of sympathy and infructuous minutes and resolutions, leading to

nothing, has gone by. Effectual measures are needed; words alone have no practical result. Government has for some time past expressed its sympathy for the Mahommedans, and the present Government is notably animated with a sincere desire to redress their wrongs and grievances. The Viceroy's reply to a recent address of the National Mahommedan Association lays special stress upon his desire to deal with all Her Majesty's subjects on a footing of equality. In spite of all this, this condition of the Mussulmans, instead of improving, has within the last decade become worse. This, no doubt, arises from the fact that the same desire to deal equitably with the Mahommedans is not shared by the officers who really hold the threads of government in their hands. The first and foremost condition necessary for the prosperity of the Mussulmans is that the balance of State patronage between them and the Hindoos should be restored. This, however, cannot be achieved unless the officers with whom rest the actual distribution and dispensation of it lend their zealous support to the efforts of Government. Under the Treaty of 1765 the Mahommedans are fairly entitled to ask for greater consideration at the hands of the British than has latterly been shown to them, though perhaps it would be unreasonable of them to expect any such preponderating influence under the English Government as they possessed under their own sovereigns, But this is not, as Dr. Hunter in eloquent terms has pointed out, their petition and their complaint. 'It is not that they have ceased to retain the entire State patronage, but that they are gradually being excluded from it altogether. It is not that they must now take an equal chance with the Hindoos in the race of life, but that, at least in Bengal, they have ceased to have a chance at all.' Under their own government the Mussulmans possessed several avenues to wealth and power. The army and police were officered by them; the administration of justice and the collection of the Imperial revenues were largely monopolised by Mahommedans. The department of education was exclusively in their hands. Long before the great Hindoo Chancellor, Toder Mull, had introduced Persian into the subordinate departments, the Hindoos had begun to learn the language of their masters with as much zeal as they now learn the English. Even towards the close of their empire, the Mussulmans represented the

intellectual power of the land. Their system of education was 'infinitely superior to any other system of education then existing in India'. It was a reflex of the system which had been in vogue at Cordova and Bagdad, and which had enabled their ancestors to hold aloft the torch of knowledge, while all around them was lost in darkness. Their polish and their civilisation were by no means inferior to that of the Western nations, and their intellectual supremacy was as undisputed as their martial power. Dr. Hunter remarks that 'during the first seventy-five years of our rule, we continued to make use of this [the Mahommedan system of education] as a means for producing officers to carry out our administration. But meanwhile we had introduced a scheme of public instruction of our own ; and as soon as it trained up a generation of men on the new plan, we flung aside the old Mahommedan system, and the Mussulman youth found every avenue of public life closed in their faces.' 'Had the Mussulmans been wise,' continues Dr. Hunter, 'they would have perceived the change and accepted their fate.' But they were not wise ; they felt secure in a fool's paradise, and thus, when the old system was suddenly abolished, they either could not divest themselves of the tradition of their nobler days, or could not accustom themselves easily to the new order of things. They soon found themselves supplanted by men who had been specially trained according to the new method. The Mahommedans have simply been 'crowded off,' to use an expressive Americanism, from the public service and the independent professions. The entire government of the country, so far as it affects the natives of India, is virtually in the hands of the Hindoos. Their influence is all-powerful in every department of State,[11] and that influence is almost invariably exercised to exclude the Mahommedans, whom they regard as aliens, from their proper and legitimate share in official preferment.[12] It will not be contended by the warmest advocate of the

11. The Hindoos form such a powerful element in the service of the State, that when there happens to be a vacancy in a Government office, a Hindoo candidate has almost invariably the first start. Very frequently outsiders know of it only after everything has been settled.

12. This influence is not only exercised to keep out the Mahommedans from the public service, but often to 'get them out' when they happen to be in. One of my correspondents, a Mahommedan gentleman occupying a very in-

Hindoo, that he is intellectually superior to, or possesses more stamina than, the Mahommedan. The truth is, that for the last fifty years the Mahommedans have been, and still are, more grievously handicapped. The time has arrived when Government should insist upon all its officers giving loyal effect to the order recently passed, for the more extended employment of the Mahommedans in the service of the State. In the gazetted appointments also the present disproportion between Hindoos and Mahommedans should be removed. Appointments to the subordinate judicial service are made, I understand, on the recommendation of the High Court, but for some reason the claims of the Mussulmans to a fair share of the patronage of the High Court have, for some years past, been so overlooked, that at the present moment the disproportion between Hindoos and Mussulmans is probably greater in the subordinate judicial than in any other branch of the public service. The judicial service of the future must, from the necessity of things, be largely officered by the natives of India. Stamina and strength of character are as much needed in these offices as versatility and finesse. Few can doubt that a larger introduction of the Mussulman element into the judicial service will add strength to the administration of the country.

It may seem strange to English readers that I lay so much stress upon State employment as the keystone of Mahommedan prosperity. It will be said, not without reason, that this inordinate dependence upon extraneous support betrays a weakness in the national character. It must not be forgotten, however, that a race of conquerors, who not more than a hundred years ago possessed a monopoly of power and wealth, has not yet developed commercial and trading instincts. Half a century's degradation has deadened all spirit of enterprise among the Mussulmans, and the absence of capital is another stumbling-block in their path to commercial success.

In the next place, I would suggest the withdrawal of the order substituting the Nagari character for the Persian in the Behar

fluential position in the service of the State, writes thus: 'It may not be out of place to mention that though there are a few Mahommedan ministerial officers in this district, it is difficult for them to retain their appointments, unless their head officers are also Mahommedans[']

courts. The change was not wanted for the well-being of the people, and appears to have been made upon insufficient data. It has irritated and alarmed the Mussulmans without satisfying the Hindoos. The greater part of the Hindoos in the province of Behar are, in their manners. their customs, and their modes of amusement, Mahommedan. Their polish and their culture are derived from the Mussulmans. They pride themselves upon speaking pure Urdoo. It may be said, without much fear of contradiction, that the change in question has proved vexatious to all the educated classes in Behar. As I have already pointed out, Urdoo has been the language of the province for several centuries. It is not only intelligible to the masses, but it is in a more or less modified form spoken by everybody:

> It is a matter of everyday occurrence in Behar [says the memorial submitted by the Behar Hindoos and Mahommedans to the Lieutenant-Governor] that persons who belong strictly to the masses are brought before the courts of justice either as witnesses or as parties. An illiterate cultivator, from a village remote from town, stands in the witness-box before a European officer who knows no other native language than the Urdoo or Hindustani. An educated pleader stands up to examine or cross-examine him. The question put and the answers received are literally in Urdoo or Hindustani, and neither the Urdoo-knowing officer nor the so-called Hindee-knowing villager feels the least difficulty in communicating his ideas to the other, without the assistance of an interpreter.

In considering the advisability of withdrawing an unpopular measure, no Government would be justified in overlooking the sentimental aspect of the question. The British Government may probably consider itself strong enough to disregard the sentimental side of the Nagari-Urdoo controversy; but yet, as an act of conciliation and justice, it should abstain from steps which tend still further to ruin the prospects of the Mussulmans, and place them at a disadvantage with the Hindoos.

The backwardness of the Mahommedans in availing themselves of the benefits of English education is not due, as has been supposed, to any unwillingness on their part to study the language of an alien race. Whatever may have been the feeling in former times, there

is not the smallest doubt that within the last quarter of a century a strong desire has grown up among the Mussulmans for the study of the English language and literature, and but for their general poverty this desire might have had a practical issue. As a matter of fact the well-to-do middle class—the section which is the backbone of a nation—has become totally extinct among the Mahommedans. Few Mahommedan parents are in a position to give their sons the education necessary for entering the lists with Eurasian and Hindoo youths with any chance of success. In the majority of cases Mahommedan students are compelled, from sheer want and the impecuniosity of their parents, to abandon their studies at the very threshold of their scholatic career. Sir Ashley Eden has no doubt rendered the Mussulman community much assistance by the establishment of several scholarships, and by providing for the payment by Government of the school fees of Mahommedan students in certain cases. But this help is a mere drop in the ocean. What is needed is some great plan similar in its scope and general character to the scheme recently devised for the Eurasian youths. In fact, equal facilities should be accorded to the Mahommedans in the matter of education as are now being offered to the Eurasians, though naturally the former cannot expect the Government to assist them out of the general revenues of the Empire, as it proposes to do in the case of the latter. They may, however, fairly ask that the large funds appertaining to the various endowments which escaped the jaws of the Inam Commission, and of which the Government has the control and direction, should be religiously and scrupulously applied to promote Mahommedan education.

For example, the enormous accumulations of the Mohsin Fund, of which the Government is the trustee, are for the most part lying unused. Why should not a portion of these accumulations be applied to create foundations for the higher education of the Mahommedan students? Sir George Campbell's scheme for the promotion of primary education among the Mahommedans of Eastern Bengal, by means of contributions from the Mohsin Fund has practically failed. Primary Oriental education needs no especial encouragement; it is higher education which requires fostering. Every hope for the regeneration of India

now depends on the spread of English education and the diffusion of Western ideas through the medium of the English language. A thorough knowledge of the English language and literature is now the only avenue to preferment and honour. It having been admitted, at least in principle, that the natives of India are to have a share in the government of their country, it is essentially necessary that both Hindoo and Mahommedans should apply themselves to the diligent study of the language of the dominant race, to their mode of thought, their science and their literature. A desire seems to have sprung up lately in several quarters to thrust English education into the background in favour of an Oriental education. In the Punjab, this wish, which is only doubtfully expressed in other parts, has taken a definite shape, and has naturally provoked the suspicion of the intellectual portion of the community in that province.

The Hindoo community in Bengal is too powerful to allow any tampering with the principle contained in the despatch of 1854, justly regarded as the great charter of the education system in India; and it is unlikely that as far as they are concerned any change will be made in the matter of English education. They perceive the value of it, and having been the chief gainers by it, it is difficult to suppose that they would consent to forgo the means by which they have made so much material progress. It is the educational interests of the Mahommedans which require safeguarding. It is supposed that the Mussulmans attach more importance to the study of Arabic and Persian than the Hindoos do to their classical language; that they are so wedded to the past that it would be impossible to accustom them to look modern ideas in the face unless dressed in the tattered garments of antiquity. Prominent expression was given to this idea in a resolution of Lord Mayo. This great Viceroy, whose interest in the welfare of the Mussulmans forms not his only claim to their gratitude, wrote thus:

The condition of the Mahommedan population of India, as regards education, has of late been frequently pressed upon the attention of the Government of India. From statistics recently submitted to the Governor-General in Council, it is evident that in no part of the country, except perhaps the North-West Provinces and the Punjab, do the Mahommedans adequately, or in

proportion to the rest of the community, avail themselves of the educational advantages that the Government offers. It is much to be regretted that so large and important a class, possessing a classical literature replete with works of profound learning and great value, and counting among its members and section especially devoted to the acquisition and diffusion of knowledge, should stand aloof from active co-operation with our educational system and should lose the advantages, both material and social, which others enjoy. His Excellency in Council believes that secondary and higher education conveyed in the vernacular and rendered more accessible than now coupled with a more systematic encouragement and recognition of Arabic and Persian literature, would be not only acceptable to the Mahommedan community, but would enlist the sympathies of the more earnest and enlightened of its members on the side of education.

Sir George Campbell was then Lieutenant-Governor of Bengal. His reply embodies the result of mature consideration of the subject in consultation with the educational authorities, the executive officers, and Mahommedans of influence :

The present question [he said] referred to by the Government of India, the Lieutenant-Governor understands to be the higher and secondary education. On that subject, after full consideration, His Honour has come to the decided conclusion that, however it may be in Behar, in Bengal it would not be desirable to encourage the Mahommedans to look to Oriental languages for higher education. Their vernacular language is generally Bengalee, not Hindustani, far less Urdoo. They come pretty freely to indigenous Bengalee schools, though they have hitherto avoided the Government English schools. It is certain that they would have no desire to be instructed in an artificial Sanskiritised Bengalee such as some Bengalee scholars affect. The few who go beyond primary education study Arabic and Persian, not as a medium for attaining Western learning, but in conformity with old habits and to obtain the learning of their religion. If, with much trouble and difficulty, we were to instruct them through Oriental languages in a modicum of modern knowledge, they would in every corner of Bengal and almost in all walks of life, public and private, come into competition with Hindoos who had qualified themselves in our language and manner of business, in our laws, rules and practices, in our fashions and habits, by the short cut of directly learning English which they do from childhood, and the Mahommedans would have very little chance in the competition. The Lieutenant-Governor's opinion

therefore is not to attempt in Bengal to give the Mahommedans Western knowledge through the means of Oriential languages, but only to teach them those languages in their own way so as to satisfy the requirements of their religion, their idea of liberal education and the genuine demand for Oriental learning for its own sake, not as a means of gaining profit and employment.

This extract contains, in fact, every argument which the Mahommedans have urged latterly in favour of their higher education.

The study of English is a vital question for the Mahommedans. It means whether the Mussulmans are to be enabled to emerge from the desperate condition into which they have fallen and take their proper place among the Indian nationalities, or whether they are to be allowed to sink still lower in material prosperity. At the present moment the Mussulmans are beginning to apprehend the proper causes of their decline and are making serious efforts to regain, to some extent, the ground already lost. Now that it is proposed to make the higher education of the natives of India self-supporting, it will be impossible for the Mussulmans to compete successfully or to keep pace with the Eurasians and the Hindoos unless some extra assistance is rendered them. I would propose that the purely vernacular schools should be abolished, and that the funds allotted to their support should be applied to promote high English as well as technical education. It seems unwise of the Government to maintain institutions for imparting a purely Oriental education, as this fosters in the people the old ideas of exclusiveness which are inconsistent with the exigencies of British rule.

Whilst the thinking portion of the community have, no doubt, been awakened to the requirements of the time, it cannot be denied that there still exists a section whose ignorance is equal to its bigotry and for whom the sun has stood still since the days of Bukhtear Khilji. To this section the concession made by Government in the matter of Oriental education is probably deemed flattering. The Government, however, does not perceive the mischievous consequences resulting from the promotion among any class of her Majesty's Indian subjects of a purely Oriental study. Men so educated are turned out into the world to shift for themselves, with no field for the employment of their energies; utterly unable

to make a living, and hopelessly ignorant of modern progress and culture, they form so many centres of disaffection and discontent. When disappointment is joined to religious bigotry, when starvation adds fuel to dormant fanaticism, it is not strange that these men should come to hate those whom they believe to be the chief cause of their poverty, and whose motives of generosity they regard with distrust. The appointment of acommission to examine into the whole question of Mahommedan education and to devise a practical scheme for it, seems to me well worthy the consideration of Government.

Lastly, I would urge upon Government the necessity of improving the administration of the Mussulman law. At present the non-administration or maladministration of the law of the Mahommedans is a fruitful source of discontent and dissatisfaction, and it is especially necessary, in the interests of the people as well as the Government, that this evil should be corrected. I would accordingly suggest the appointment in the Moffussil of a number of Mahommedan judges, qualified to expound the Mahommedan law; in fact, to sit as assessor-judges in the trial of Mahommedan cases. In the High Courts of Calcutta, Madras, and Bombay, as well as in the Chief Court of Lahore, a Mahommedan judge should be appointed to assist the European and Hindoo judges in administering the Mussulman law. The mischief which occurs from the imperfect apprehension of the Mussulman law, even by these superior tribunals, can hardly be overrated. The administration of justice is the strongest and most favourable feature of the British Government, but for the last thirty years the Mahommedan law has been, in the majority of cases, misapplied. The appointment of Mahommedan assessor-judges in the Moffussil would entail very little additional expense on the Government. Justice in India is so heavily taxed that not only does it pay its own cost, but leaves a surplus of £45,000 a year. A small additional expenditure, incurred in conciliating and redressing the wrongs of a much-injured community, can be a matter of very great moment. Their is little doubt, I believe, that ultimately, under the system of taxation on justice which prevails in British India, the plan suggested would become self-supporting. As regards the appointment of Mahommedan judges in the

High Courts of India, it is a matter respecting which the Mussulmans may fairly consider themselves aggrieved—for whilst several Hindoo judges have been appointed in Màdras, in Bombay, and in Calcutta, no Mussulman has yet obtained a seat on the bench of the superior tribunals. Subventions also should be granted for the translation of the standard legal works into English. In this respect, the British Government may follow with advantage the example of the French Government in Algeria.

A compulsory system of registration of Mahommedan marriages and divorces should at once be introduced by Government. The proposal to work an optional law by means of officers styled Kazis would lead to no beneficial result. In spite of the factitious opposition of a certain section of Mussulman community, it may be said that a compulsory law would be regarded as a public boon by the majority of Mahommedans. A compulsory system of registration of marriages and divorces exists in all Mahommedan countries. The system was first introduced by Harun-al-Rashid, and since his time, wherever there exists a Kazi's *Mahkama*, the principle is enforced. In Shiah countries, the *Mujtahed* keeps the record. The presence of a Kazi is not essentially necessary to the validity of a Mahommedan marriage, so long as there is somebody present to read the contractual formula. In former times, Kazis used to be present in their capacity of public notaries, as well as by virtue of their position as learned men, or *Mullahs*, able to conduct the contractual performance of the ceremony. The mere revival of the *nominis umbra* would prove absolutely useless. To suppose that it is possible, by merely giving certain officers the name and style of Kazis and deputy-Kazis, to infuse new life into dead bones is to miscalculate the whole bearing of the subject. What is needed is to vest them with certain judicial functions, and to make registration compulsory.

The remarks I have ventured to offer in the foregoing pages embody the result of much patient study and an anxious consideration of the entire subject of Mahommedan grievances. No one can attach greater importance to the permanence of British rule in India than myself, for I believe that upon it depends for a long time to come the well-being and progress of the country.

I have stated my views frankly in the hope of evoking the interest of the English people in behalf of the Mussulmans, and of assisting the statesmen who are now charged with the conduct of affairs, both here and in England, to understand Mussulman feelings. I would, however, repeat the fact that the depressed and despairing condition of the Mahommedans demands the serious attention of Government, and should not be dealt with longer in the dilettante way which has hitherto been the fashion, but in a real, earnest manner. A nation consisting of upwards of fifty millions of souls, 'with great traditions but without a career,' deprived by slow degrees of wealth and influence by mistaken sentimentalism, mixed with a contemptuous disregard for popular feelings, must always constitute an important factor in the administration of India. It is this factor which cannot be ignored, and which must be taken into account by Government in all future projects for the well-being of India.

4

THE LIFE-PROBLEM OF BENGAL

[*The Nineteenth Century*, September 1883, pp. 421-40]

In no country in the world, probably, is the condition of the peasantry a matter of such supreme concern to the Government as in India. The famines, which have afflicted extensive tracts with a frequency of recurrence almost amounting to a natural law and the disastrous consequences which have followed in their wake, unhinging more or less the resources of the empire and throwing out of gear the entire administrative machinery, prove to the outside world how materially the foundations of national prosperity in this country rest upon the well-being of the agricultural classes. For some years past, the relations of the landlords and tenants in Bengal, the principal province of the empire, have been the subject of special study by the Government, and have at length become so strained as to give rise to serious administrative difficulties. Owing to the unworkable character of some of the principal provisions of the existing law, and the unsatisfactory effects of the rule of prescription which it lays down for the acquisition of occupancy rights by the cultivating class, a deadlock has taken place, as admitted even by the zemindars themselves, which it requires the earnest endeavour of the legislature to remove. The difficulty inherent in the nature of the case is increased also by the confusion in the legal conceptions of many lawyers and judicial officers, which, as a recent writer remarks, are so affected by ideas derived from the English law relating to real property, that 'when the zemindar and the ryot resort to the courts of justice for the ascertainment, definition, and enforcement of

their respective rights to the soil, they generally come away more puzzled than ever, and dissatisfied with the vague and arbitrary determinations of the courts.' The tension of feeling which exists between the zemindars and the ryots throughout Bengal has found expression on several occasions in serious agrarian disturbances. It was in view of these signs and shadows of coming events, that the late Lieutenant-Governor strongly urged upon the Government of India 'the advisability of settling the rent question definitely, while the country was tranquil. while seasons were favourable and the people well off, and reason could make its voice easily heard; instead of allowing things to drift on until another famine, or a second outbreak of the Pubna riots, should compel the Government to take up the subject with the haste and incompleteness that too frequently characterise measures devised under circumstances of State trouble and emergency.'

The Bengal Tenancy Bill recently introduced in the Council of the Governor-General is the fruit of a long and protracted inquiry, not only as to the necessity of a change. but also as to the basis upon which it should proceed. Every attempt to deal with vested interests by legislation—more so, perhaps, in this than any other country—evokes a storm of indignation among the classes whom it is likely to affect; and such has been the fate of the new Rent Bill It is urged that the Government proposals are of a revolutionary character, and aim at a general confiscation of the rights of the zemindars: that they involve a breach of faith with the landlords; that they override all the doctrines of political economy. Ancient copper-plates are dug up, and the pages of Ferishta are ransacked, to establish the position that the zemindars of Bengal, with their valuable rights and privileges, are not the creatures of British Regulations, but that they have existed from ancient times as absolute proprietors of the lands which they possess, free to do what they liked with their own and their tenants' property. As claiming to be absolute proprietors, any restriction on their mode of dealing with their lands is regarded by them as an encroachment on their original rights; and every measure to give security to the tenants is denounced as a redistribution of property. There is a great deal of exaggeration, however, in this view of the main features of the Bill, for even a cursory examination of the antece-

dent history of proprietary and tenant-right in Bengal, and of the proposed enactment, would satisfy unbiased minds that the criticism is in the main unwarranted and groundless. I propose, therefore, to offer in the following pages a review of the circumstances which have led to the introduction of the measure, and to show its bearing on the economical aspect of that great question which has been happily termed the 'life-problem of Bengal'.

When the Mahommedans established themselves in India, they introduced in the administration of their newly acquired territories the rules and institutions which were in force in the countries whence they originally came, with such modifications as were rendered desirable by the altered circumstances of their presence on an alien soil. According to the regulations of Hassan Maimendi, which were framed on the lines of the Saracenic jurists, the sovereign was, in the eye of the law, the lord paramount of the entire land in the country; but his rights and powers were limited and circumscribed by the rights of his subjects. In dealing with the land, he was bound by law to deal equitably with the interests of the cultivators. He could not exact, at least in theory, more than a definite share of tax upon the soil actually in cultivation, and was bound to make allowances in times of drought and scarcity. The person cultivating the land, either himself or by his servants,[1] was regarded as the real proprietor,[2] a certain fixed tax, varied periodically according to the gross produce of the land, being paid by him. At the same time, as pointed out by Major Baring, 'the idea of individual property land, in the sense in which we apply the term in England, had not been attained. An intermediate step had been reached. Community of property no longer existed, but perfect freedom of contract, in respect to the land, was wholly foreign to the ideas of the people.' Such was the general condition of the land system under the Moguls.

It will thus be seen that prior to the Cornwallis Regulations,

1. These were called the *Muzara*, and would be analogous to the Korfa ryots of the present day.

2. In Arabia called the *Rab-ul-Arz*; in Persia, the *Dehkan*; in India, *Zemindar*—not the Zemindar in its Bengal sense, but as understood in Northern India, in fact, the village proprietor.

there is not to be found in the constitution of the country the smallest trace of a class of persons answering to the modern zemindars, and possessing the rights and privileges now claimed from them; entitled by immemorial custom to override the just rights of the cultivators; empowered to increase the burden of the ryot at their own free will; and acknowledging no check on their avidity save their own sense of justice. Such a body of men certainly did not exist under the Moguls, in spite of copper-plates and Ferishta. There can be little doubt that even those zemindars who possessed a permanent heritable interest in the lands in their possession and control were liable to furnish to the Mogul Government, in the best period of its domination, a faithful account of their stewardship; that they were liable to be set aside with the reservation of a small allowance, on failure of the regular remission of the Government revenue; and that when this extreme course was not deemed advisable, *Sazawuls*, or managers, were appointed to administer their properties. In no case did they possess the power of evicting the ryots, even such as were of a migratory character, so long as these paid their rents regularly.

The whirlwinds of conquest, which so often passed over the face of the country, left untouched the rigths and privileges of the ryots. Through all the long centuries of Mussulman domination up to the present date, there has existed 'the living tradition.' to use the words applied to the unfortunate peasantry of another country, 'of a possessory right attached to the status of a cultivator of the soil.'

There is yet extant a Firman of the Emperor Aurungzebe, the value of which, as a contemporaneous record of the social and economic condition of the country, has not been sufficiently appreciated. It is an edict addressed by Aurungzebe to one of his principal officers in regard to the revenue administration of the Empire.

The two most noticeable things in this remarkable document are, first, the extreme solicitude of the sovereign that the rate should be so adjusted as not to press unduly upon the ryots, and under no circumstance to exceed half of the produce; and, secondly, the absence of any reference to privileged class, whose interests might be supposed to militate against those of the ryots. Another feature,

also, deserves close attention, viz. the recognition by the State of the power possessed by the cultivators to transfer their lands by sale or mortgage. The principle of transfer, therefore, which the Government proposes to recognise in the present Bill, is not by any means new, having been in force from ancient times, and having received emphatic recognition under a monarch who never paid much regard to the old traditions of the country.

Aurungzebe died in the year 1707. On the 12th of August, 1765, a memorable day in the annals of this country, the Emperor Shah Alum II conferred the office of Dewani upon the East India Company. By virtue of this office it became the duty of the Company to organise, upon a sound basis, the revenue administration of this province. At first the attempts were confined to improvements in the morale of the officers charged with the collection of the land tax. But the instructions issued to the supervisors in 1769, when the President and the Board took the first steps in connection with the Dewani, throw considerable light upon the disastrous consequences to the people, and especially to the agricultural classes, which had followed on the death of Aurungzebe.

The steady decline of the Imperial authority in the outlying provinces, and the general slackening of the reins of administration, had thrown into utter confusion the framework of the governing hierarchy. The collectors of revenue, the stewards and bailiffs—*zemindars*, *amils*, *chowdrys*, and *canoogoes*—assumed to themselves powers and privileges which they had never possessed before.

In 1772, the first formal step was taken by the Company in their character of Dewan, and a public regulation passed for the settlement and collection of revenue in the Subahdari of Bengal, Behar, and Orissa. The land revenue was farmed for five years; the farmers were directed to make the usual advances to the ryots for cultivation; they were prohibited from receiving larger rents than the stipulated amounts, or from levying cesses; and the supervisors were instructed to prepare rent-rolls of each *mahal*, or farm, according to the order in which it stood in the pergunnah, which rent-rolls would be freely accessible to the public.

In 1786, Lord Cornwallis arrived in India, charged with the

duty of organising, upon a solid and permanent basis, the revenue-system of a province which by one of the strangest freaks of fortune had been entrusted to a band of traders. A member of the British aristocracy, permeated by English notions of feudalism, he naturally viewed all questions from the standpoint of an English landlord; and the measure which he introduced, and which he so successfully, in spite of the opposition of some of his ablest coadjutors, carried into execution, proves his tenacity of purpose and consistent thoroughness. It cannot be denied that the legislation by which he gave fixity and permanency to the Government demand upon the zemindars has developed the resources of the province, and enriched at least one portion of Her Majesty's subjects--the land-owning class. Had Lord Cornwallis also guaranteed the royts against the exactions of their landlords, the difficulties which at the present moment agitate the public mind would probably never have arisen. His chief object was to fix in permanence the revenue payable to the State by the farmers, *malguzars*, and zemindars, and to relieve Government from the burden of periodical surveys and assessments. At the same time, he never actually overlooked the claims of the ryots to the protection of the State against unjust and illegal demands on the part of the zemindars. In 1787, the collectors were directed to pay especial and unremitting attention to the ascertainment of the rules and rates of ryots' assessments, and to endeavour to fix upon some mode by which these might be regulated on general, fair, and definite principles. But the task was one requiring years for its completion. The consequence was, that when the permanent settlement was effected, collectors had not advanced far towards the accomplishment of the duty imposed on them. Hence, the rights of the ryots were left for the most part unrecorded and, with some few exceptions, the ryots themselves remained unprotected against encroachments.

Prior to the period of British administration in Bengal, no persons holding ryotti lands, that is to say, none of the immediate cultivators of the soil, could, by the universal custom of the country, be dispossessed of their lands so long as they duly paid their rent. The zemindars did not possess the power of enhancing the rents of the ryots so long as the Government did not increase

its demands. If the State demand underwent a variation, the zemindars were authorised to distribute it, according to custom, over the zemindari. Unauthorised levy of cesses subjected the zemindar to serious penalties, and the ryot was always entitled to redress at the hands of the officers of Government in such contingencies. The zemindar was entitled to a fixed amount of the Government revenue, which fluctuated as the revenue increased or decreased. Let us see if the legislation of Lord Cornwallis made any alteration in the status of the tenants. In his memorable minute of the 3rd February, 1790, the Governor-General, in justification of his policy of permanent settlement with the zemindars, observed that the right of the Government to fix at its own discretion the amount of the rents upon the lands had never been disputed ; but he added that the zemindars, neither then nor ever, could possess a right to impose taxes or *abwabs* (illegal cesses) upon the ryots, and that, if new abwabs had been imposed since the English occupation of the country, Government had an undoubted right to abolish such as were oppressive. He further said that to permit the zemindar to dispossess one cultivator for the sole purpose of giving the land to another, would be vesting him with a power to commit a wanton act of oppression from which he could derive no benefit ; that the zemindar, however, might sell the land, and the cultivators must pay the rent to the purchaser.

It is a matter of history that the proposals of Lord Cornwallis were almost in their entirety approved of and sanctioned by the Court of Directors. But while according their sanction to the measures initiated by the Governor-General, they do not seem to have been quite easy in their minds with regard to the future results of the step they were taking; and hence we find that, in terms as emphatic as can be imagined, they reserve the right to interfere from time to time to make such regulations as may be necessary for the protection of the ryots and subordinate landholders.

Such was the character of the system introduced by Lord Cornwallis. In order to give rest to the province, to protect both the zemindars and the agricultural classes from the harassment of a periodical settlement, to induce the zemindars to improve the estates thus settled with them, and to secure the public revenue, the State, in accordance with a long existing and customary law of

the country, limited its demand upon the landlords. It did not attempt to alter the status of the ryots, or materially to modify the pre-existing relations of the landlords and the inferior holders, or to vest in the zemindars powers which the sovereign himself hardly ever claimed to exercise. In theory at least, the 'ryot remained, as before, a cultivator; entitled to hold by perpetual renewals, at the customary established rates; such rates being the rates established in the pergunnah for lands of the same description and quality.'[3] Their rates could not legally be enhanced beyond the customary rates. nor could they be ejected as long as they duly paid their rents. Though the zemindars, however, were prohibited from enhancing the rates of rent, they were not debarred absolutely from raising their income. In almost every case, extensive tracts of waste lands, tracts which were in some districts once populous and flourishing, but which the inroads of marauders and the convulsions of a dying empire had denuded of their population, were made over to be zemindars with the other lands of their estates. Their reclamation afforded ample room to the zemindars to add to their income. But in accordance with the ancient custom of the country, ryots settling and creating villages on these lands were entitled, in the first instance, to special privileges as breakers up of virgin soil, and afterwards to all the rights of resident cultivators. As a matter of fact, the great landed proprietors of the present day have no reason to complain, for their incomes from land in the course of the last quarter of a century, in spite of all drawbacks, have in almost every case doubled or increased by even higher multiples.

Such was the contract or compact upon the strength of which it is now urged that Government is precluded from legislating in favour of the ryots, and which furnishes the basis for the argument that the proposed measure 'is contrary both to the spirit and to the express terms of the Permanent Settlement; in fact, that it involves a breach of the contract made in 1793 between Lord Cornwallis, on behalf of the British Government, and the zemindars.'

The Regulations of 1793, while causing by their silence serious injury to the interests of the ryots, proved a very qualified

3. Mr. Justice O'Kirealy's Minute; comp. sec. 6. Reg. IV. of 1794.

blessing to the then existing generation of zemindars. The rigid application of the Law of Sale, which brought an estate to the hammer on the least default in payment of the Government revenue, required from them a degree of punctuality opposed to their habits. Accustomed to the easy rule of the Moguls, which, though harsh in some directions and punishing refractoriness summarily, regarded with patriarchal complaisance ordinary deviations from punctuality, they were either unprepared or unwilling to carry into effect the intentions of Government. The zemindars complained that the farmers refused to pay their rents; the Government complained that the zemindars allowed their estates to fall into arrears, with the fraudulent object of having them sold, and then purchasing them anew in the names of others, free from incumbrances. Naturally every plea for indulgence was at first refused. The consequence was that within the space of a few years the large majority of the zemindars of 1793 were absolutely sold out and their places taken by new men. Even of these, few are now in existence. Want of thrift in some cases, the strict exaction of the Government demand in others, have displaced many of those who came into existence immediately after the Cornwallis Regulations. It is for the more recent generations of purchasers that the cry is raised, that as they have invested their capital in the purchase of lands on the good faith of Government, they ought not to be deprived of any power or privilege, legitimate or illegitimate, or be prevented from exacting from the ryots anything that their position may enable them to extort, or custom may seem to warrant their demanding. People, however, who are aware of the nature of revenue-sale proceedings may well doubt the seriousness of this argument. It is a notorious fact that at revenue-sales properties seldom fetched their proper value. Cases are known of estates worth several hundred thousands being knocked down for a few hundred rupees. And in those days, when the collector's ministerial subordinates were often in league with the agents for purchasers, or with zemindars seeking to effect collusive transfers, sales of properties were frequent and extremely lucrative to the purchasers.

That the feelings between the new zemindars and the cultivating classes were from the outset by no means of a sympathetic charac-

ter, is sufficiently evidenced by the troubles in Eastern Bengal, to which reference will be made later on. Short measuring poles and illegitimate exactions called from the ryots a demand for the rates of their former landlords, and proper measurement as recognised in the adjacent villages. But it was long ere their complaints attracted due attention from the authorities. In the beginning of the century the Government was concerned only with the realisation of revenue, heedless of all other considerations. In order to remove the complaints of the zemindars that they were unable to realise their rents from the farmers and tenants, the Government framed Regulation VII of 1799, which conferred on the zemindar the power of distraint, and in the case of arrears exceeding 500 rupees due from under-tenants, the power of arresting their persons. It further empowered the zemindars to seize the ryots and bring them to the Zemindary office, there to be kept in confinement till the sums due from them were realised by the sale of their farms and property. It is impossible to believe that powers so extensive would have been given by the Government, had it not laboured under the impression that the ryots were protected by law and custom against the exaction of more than the regular pergunnah rates of rent.

The despotic and oppressive manner in which the powers vested in the zemindars were exercised, attracted some notice from the Government even in the those early days; and in 1803, Regulation XXVIII was passed to protect the persons of ryots from confinement. It enacted that though the personal property of the farmers and ryots might be distrained and sold far arrears of rent, their persons were not to be confined, nor was any corporal punishment to be inflicted on them upon any pretext whatsoever. But neither this nor any other Regulation had the effect of putting a stop to the oppression of the zemindars, who went on confining and ill-treating their ryots whenever it suited their purpose. until the year 1860, when the almost Draconic provisions of the Penal Code inspired a salutary fear in the hearts of all rural despots. The next Regulation which I shall notice as affecting the ryots was the Regulation V of 1812, which repealed limitation imposed by an earlier statute on the powers of the zemindars to grant leases for a period exceeding ten years. Though this Regulation contained

no provision for the enhancement of rent, and the zemindar was still legally bound to give leases in evidence of tenancy at pergunnah rates, beyond which he could not go, yet indirectly it tended to pave the way for various exactions. The zemindar was authorised by this new law to realise his rent in the following ways:

(1) By serving a writ of demand on his tenant.

(2) By distress or sale of his farm.

(3) By sale of his moveable property.

Now, each of these methods contained the amplest opportunity for extortion of every kind; nor could the law step in to protect the ryots. The position of the cultivator was also injuriously affected by the powers given from time to time to purchasers of estates at sales for arrears of Government revenue.

From 1799 to 1859, as the Lieutenant-Governor remarked in his speech in Council, 'feudalism on one hand, serfdom on the other,' were the principal characteristics of the land system of Bengal. In theory, 'the constitutional claims of the peasantry' were maintained intact; but practically they were lost in the usurpations and encroachments of the landlords. In 1819, the Court of Directors complained, almost in piteous terms, of the failure of their benevolent intentions in regard to the ryots. The Marquis of Hastings, about the same time, regretted that Lord Cornwallis's Settlement, so generously conceived, had subjected almost the whole of the lower classes to most grievous oppression. And Mr. Leycester, senior judge of the Sudder Dewanny Adawlut, writes thus in 1827: 'In many parts of the country the resident cultivators are the actual slaves of the landholders, and liable to be mortgaged, bartered, or let to hire, the same as his oxen and goats, at his will and pleasure.'

But whilst the zemindar was permitted to have such absolute power over his ryots, the law never purported to give him authority to eject in default of payment for enhanced rates. *Salamis*, or forced benevolences, were often exacted; the ryots were treated as slaves; but the right of ouster, vested in the zemindar, was, as far as the law was concerned, strictly limited to the case of non-payment of the legal customary zemindari dues.

Such was the position of the ryot and the state of the law when the legislature conceived in 1859 the scheme of consolidating the

rules and regulaotins on the subject of the mutual relations of landlords and tenants. The Act then passed undoubtedly affceted a great improvement in the material condition of the ryots, and afforded them some protection against the exercise of arbitrary power on the part of the zemindars; but the rule for the acquisition of prescriptive occupancy right, by a twelve years' occupation of particular plots of land, did more harm than good. The rules also for the enhancement of rent by a uniform reference to the value of produce were not only contrary to the spirit of the former Regulations, but by their unworkable character added largely to the difficulties surrounding the land question in Bengal, and their impracticability was in a few years clearly exposed.

In 1869, the jurisdiction in rent cases was transferred to the Civil Courts. Whilst the jurisdiction remained with the Revenue Courts, the result of suits had been generally in favour of the landlords. Since the transfer, the result has been chiefly in favour of the ryots, owing to the Civil Courts insisting upon stricter proof of the grounds upon which enhancement is asked for. But the principle of proportion, even in its modified from, has proved utterly unworkable. It involves economic and agricultural inquiries wholly beyond the scope of the Civil Courts.

The inquiries of the Famine Commission have proved that the state of agriculture in Bengal is in a very backward condition, though undeniably it differs in different tracts For example, in places where the ryots possess transferable occupancy rights, not only is the state of agriculture more flourishing, but the ryots themselves are more prosperous than in places where they are mere tenants at will. But, generally speaking, it may be affirmed that the land industry of Bengal is in a very backward condition. In the next place, though the value of produce in Bengal is increasing, there can be little doubt that there is a sensible increase in the expense of cultivation and a decrease in the yield of the produce. The increase in the expense of cultivation is principally owing to three causes—viz. a rise in the rate of wages of agricultural labourers ; (2) a rise in the rent ; and (3) a rise in the price a cattle. The diminution in the yield of the land is due in the main to the smallness of the holdings, combined, it is often said, with a deterioration in the productive powers of the soil. Unless,

therefore, the circumstances which materially affect the profit derived from their labours are taken into consideration, the rule laid down in Section 17 must of necessity cause serious hardship to the ryots. Supposing even these considerations could be left out of the question, and the former value of produce could be ascertained in order to determine the proportion justly payable by the ryot, is the result arrived at to be regarded as invariable ? Supposing the landlord got a certain rate fixed when the value of produce rose, would he, after having obtained an enhancement decree, reduce the rate when the market happened to fall ? These are some of the problems connected with the present condition of the Bengal land-system. There is a consensus of testimony, that, in spite of some improvement in the material condition of the ryots, generally speaking the improvement is more apparent than real. The prosperity of the cultivating classes depends essentially on the extent of their holdings ; and it has been proved conclusively that throughout Bengal and Behar the holdings of the majority of ryots are below two or three acres.

The difficulties connected with the land question grew to a head with the agrarian riots in Eastern Bengal, which opened the eyes of the people to the serious complications involved in the points at issue, and made them realise the spirit of unrest and discontent that was abroad among the agricultural classes.

The origin of the Pubna outbreak in 1873 illustrates strikingly the feeling of exasperation existing between the peasantry and the landlords in some parts of Bengal, and the general nature of the rent dispute. The tenantry broke out first in the Esafsahi Pergunnah, which was formerly owned by the Rajahs of Nattore. In the decay of that ancient family, a part of their possessions was purchased by new-comers, who were for the most part strangers to the district, who had no sympathy with their tenantry, and 'whose relations with their ryots and with each other appear to have been unfriendly from the first'. These men began at once to raise the collections by decreasing the standard of measurement and by imposing illegal cessess, which, as usual, were afterwards more or less consolidated with the rent. Disputes began to run high between the landlords and the tenants. The lawless character of some of the zemindars and of the agents of others led to affrays in which

many lives were lost. The zemindars employed professional club-men to coerce their ryots, and they, on their side, repulsed and resisted violence by combination amongst themselves. Alarmed at the prospect of Government interference with the assessment of rents, several of the zemindars commenced demanding written engagements from the ryots, and succeeded in extorting from a few most one-sided agreements. But the majority refused, and suits were instituted, on the basis of measurement papers and receipts which were subsequently declared by a court of justice to be forgeries.

The procedure for the enhancement of rents adopted by the zemindars of the Esafsahi Pergunnah was by no means exceptional; on the contrary, the Government of Bengal considers it as typical of the method followed by unscrupulous zemindars in many parts of the province. Sir George Campbell realised that the differences between zemindars and the ryots were such as to require a thorough revision of the existing law. Owing, however, to a variety of circumstances, chiefly the pressure of the two great famines which afflicted the country about that time, the Government of India deferred to a more convenient season the consideration of a general measure. At the same time the Secretary of State directed that the question at issue between the ryots and the zemindars throughout Bengal should be carefully watched, so that when the proper time arrived affectual remedy might be applied. During 1874-75, the annual reports furnished to the local Government dwelt incessantly upon the demoralising state of conflict in which the landlords and tenants were to be found all over this province. In 1875, Sir Richard Temple, who had taken the place of Sir George Campbell, again brought forward the proposal regarding the amendment of the substantive law, and asked for leave to introduce a measure into the Local Council, but before he could get a reply he was sent to Southern India to look after the relief measures.

Affairs were in this position when Sir Ashley Eden assumed charge of the Lieutenant-Governorship of Bengal.

After much discussion with the leading zemindars and experienced revenue officers, a Bill was introduced into the Bengal Council, providing a summary procedure for the realisation of arrears of rent for a period not exceeding twelve months. The zemindars stood

admittedly in need of this remedial measure; and it was thought that by affording them relief in this direction they would be willing to make some concessions in favour of the ryots. Certain provisions were accordingly inserted in the Bill, with the object of extending the transferability of occupancy rights and of allowing the ryots to pay their rents by quarterly instalments. The Bill was referred to a Select Committee, which, after carefully examining its details, reported that, instead of piecemeal legislation, a comprehensive and general enactment was necessary to settle the multifarious questions at the bottom of the land difficulty. Upon receiving this recommendation, the Lieutenant-Governor, with the sanction of Lord Lytton's Government, appointed a Commission consisting of some of the ablest and most experienced officers of Government and two landlords, to institute a searching inquiry into the land system of Bengal, and to draft a measure by which the rights of the parties might be satisfactorily explained and established once for all. The Commission collected a mass of evidence on the subject, and submitted along with its report a draft Bill, which, in connection with a bill framed by another Commission that had especially applied itself to Behar, was carefully considered by the Lieutenant-Governor. Several modifications were introduced by Sir Ashley Eden into the Bill of the Bengal Comminsion, with which the suggestions of the Behar Commission were partially amalgamated. In July 1880 the Government of India received the Report of the Bengal Government with the Bill, as modified by Sir Ashley Eden. The Bill, which was despatched for the sanction of the Secretary of State in March 1882, was received in January last, and the present measure was introduced in Council on the 2nd of March.

Although great care and attention have been bestowed upon the measure, there is no doubt that some of the provisions still require anxious consideration, and must undergo considerable modification before they can finally be enacted into law.

I propose, therefore, to indicate briefly the general provisions which the Bill embodies. The two main objects of the present legislation are (1) to give reasonable security to the tenant in the occupation and enjoyment of his land and (2) to give reasonable facilities to the landlord for the settlement and recovery of his

rent. In order to attain the first object, it is proposed to make the following changes it the existing system:

(1) To extend the occupancy right to all resident ryots holding lands in a particular village or estate for more than twelve years.

(2) To make occupancy rights transferable.

(3) To introduce a fixed maximum standard for the enhancement of rents.

As regards the first proposal, the sketch already given of the original status of the resident ryots, prior to the enactment of Act X of 1859, must show that the Legislature has no new object in view. It only aims at the restoration of the resident ryot to his old postition. The disastrous and demoralising consequences resulting from the twelve years' rule of prescription are now recognised by all classes of society. It did away with the long-established distinction between the resident and non-resident ryots, reducing them all to a dead level of uniformity—the ryots, who claimed rights of occupancy, being required under the existing law to prove that they have held for twelve years not merely in the village lands but *in every one of the particular fields or plots in respect of which the right was claimed.* When it is borne in mind how frequently the twelve years' prescription is interrupted by a mere shifting of the fields, sometimes by eviction within the term, sometimes by the grant of terminable leases for short periods with the option of renewal, it will become apparent how difficult it is in general for the ryot to acquire a right of occupancy, or to prove it when it is questioned. There is, it will be remembered, no field-survey in Bengal. Considering the testimony which has been borne from all sides of India as to the prosperity of the ryots possessing occupancy tenures. their ability to withstand and make head against droughts and scarcities, and to tide over in general more successfully such disasters as were caused by the cyclones and the great tidal wave in Deltaic Bengal, it is unjust to charge the Government of India with being doctrinaires and theorists for believing that a measure faciliting the proof of occupancy rights is essential to the well-being of the agricultural population of Bengal.

The Bill also provides against settled ryots contracting them-

selves out of their occupancy status. Naturally the expediency of this provision has been much questioned, and Government has been attacked with considerable vehemence for attempting, against every principle of polirical economy, to interfere with freedom of contract. How far political economy, however, is applicable to a country where the mass of the people live from hand to mouth. is a question which was answered effectually, though at the cost of a million lives, during the Orissa famine.

If the extension of occupancy rights among the ryots be conducive to the general welfare of the community, there can be little doubt that the provision for the avoidance of contracts, entered into by the tenant, debarring himself from acquiring such rights, is founded on correct principle and good policy.

The proposal to make occupancy tenures generally transferable is the natural outcome of the times. Although there is no provision to that effect in the existing law, such transfers have become frequent under the custom of different localities. The necessity of giving the ryot a permanent alienable interest in the soil, which he may sell, mortgage, or otherwise dispose of to the best advantage without detriment to his landlord, is appreciated on all sides.

The Bill proposes to give the ryots not only the power of alienation by private sale or mortgage, but it also provides that the occupancy holding shall be liable to be sold in execution of the landlord's decree for arrears of rent. But in order to protect the interests of the zemindars, and to prevent the possible introduction of a hostile tenant, the Bill declares that in all cases of transfer of occupancy holdings, whether by private sale, or by sale in execution of decree, or by foreclosure, the landlord shall have a right of pre-emption. In cases of private sale or foreclosure, the landlord may, if necessary, apply to the Civil Court to fix a fair price, or the amount of the mortgage debt; such purchase or redemption to result in the land being placed at his disposal as unoccupied ryotti land.

Two objections have been urged against the proposal to make occupancy rights transferable. First, it is said that the result of a general power of transfer will be, that in the course of a few years the land will pass out of the hands of the cultivators into the

possession of middlemen and money-lenders, thus defeating the object of Government to raise up a body of tenantry who would do justice to the soil and be able to bear the pressure of one or two seasons of scarcity. Secondly, it is urged that, in places where the cultivation of indigo is carried on to any extent, the ryots would transfer their rights to the planters, to the injury of the zemindars. With reference to the first objection, it may be said at once that the experience of competent observers, gathered from districts where the custom of transferability prevails at present, does not justify the apprehensions so generally entertained. The transfers which have hitherto taken place have not had the effect of making the lands pass out of the hands of *bona-fide* agriculturists. Perhaps the original proposal of the Government of India, as embodied in the despatch of the 21st of March, 1882, to restrict the operation of transfers in favour of agriculturists only, would have been more expedient, and it is not unlikely that the point will receive serious consideration in Committee. But, with the right of pre-emption possessed by the zemindar, it seems scarcely possible that the ryots could be able to make the apprehended changes to their own ruin without question. And it is to the interest of the zemindars themselves that the holdings of the ryots should be made transferable. The difficulty and delay, of which the landlords complain in obtaining the fruits of a decree for arrears of rent, arise invariably from the impossiblity of reaching any property of ryot. The average ryot, as Mr. Field points out, is too poor for process against his moveables to be productive of much result. His few household pots and pans are either absolutely valueless, or so necessary to him, that it would be the height of cruelty to deprive him of them ; his cattle are either essential to his existence or easily got out of the way; while to issue execution against his person would be to incur the costs of his subsistence during imprisonment. By making a ryot's holding saleable in execution of a decree, at least one important guarantee is furnished to the landlords for the realisation of the debt and costs.

It has been urged that the right of pre-emption given to the zemindars, instead of being an advantage to them, implies the imposition of a fresh burden. In each case where the right would

be exercised, fresh costs would be incurred; these extra outlays would bring no profit to the landlord, and would merely reduce the percentage of his income. For example, suppose a zemindar purchases a property for 50,000 rupees, the rental is calculated according to a certain standard. If, afterwards, he has to spend another 10,000 rupees in the exercise of his right of pre-emption, this extra outlay is either a dead loss to him, or, by being added to the original consideration, reduces the percentage of rental. To this the evident answer is, that even now an incoming tenant pays a substantial bonus to the landlord; when rights of occupancy are made transferable, the value will be immensely increased; and the landlord is sure to recoup himself by the price he would be paid for the holdings in the shape of bonus or premium.

So far, then, the Bill merely proposes to recognise existing facts, and to place the general body of the resident cultivaorts in the position which they have all along been really entitled to hold. It takes nothing from the zemindars but a power of summary eviction which they never legally possessed, and which no respectable landlord would ever care to exercise. It increases materially the security for the rent, and by strengthening the tenant-right of the cultivators makes them better able to resist famine and the pressure of bad seasons.

The Bill makes provision further, on behalf of the ryots, as to the rent payable by an occupancy tenant; for his paying it in kind; for his suing to have it commuted into a money-rent; and for the manner in which such money-rent is to be determined. Some of the sections, however, require careful consideration.

Having so far protected the ryots, the Bill goes on to provide the zemindar with means of enhancing his rents in a reasonable manner from time to time. It empowers the landlord of a holding held at a money-rent by an occupancy ryot to institute a suit for the enhancement of his rent on certain specified grounds. It also provides rules for cases where an increase in the productive powers of the land has taken place by the agency or at the expense of the landlord, or partly by the agency or at the expense of the landlord and partly by the agency or at the expense of the ryot. In the former case, the landlord would be entitled to the whole benefit of the increase; in the latter, the zemindar and ryot would

get the benefit mutually, according to what the Court would consider 'fair and equitable'.

Section 76 provides that the rent of a holding shall not be in a suit 'under any of the foregoing sections, so that the enhanced rent shall be more than double the rent previously payable'.

Section 77 authorises the Court to distribute the increment over a series of years not exceeding five, 'until the limit of the enhancement decreed has been reached'. This section is expressly limited to cases in which the Court considers that the immediate enforcement of the decree to its full extent would be attended with hardship to the ryot.

Section 78 declares that when rent has been once enhanced, it shall remain in force for ten years, and no suit for enhancement shall be maintainable during this period. This is a wise provison, and will put a stop to the incessant harassing to which ryots are subjected in many parts of Bengal.

The local Government is empowered to direct a revenue officer to prepare for any local area, with the aid of assessors, a table showing for each class of land comprised in that area the rate of rent fairly and equitably by occupancy ryots. the average gross produce of land, and the average value of that produce.

The table is to remain in force for such period, not less than ten nor more than thirty years, as the local Government may direct; and while it remains in force it will be conclusive evidence, excepting in two classes of cases. of the equitable character of the rates, and of the value of the produce. The task of the Civil Courts will thus be immensely simplified as well as lightened.

To understand the full effect of these provisions. it must be remembered that at present legal enhancement of rents is impossible. A landlord can only get an increase of rent by persuading or coercing his ryot into giving it. The government propose here to revert practically to the ancient custom of the country, and to place enhancement under the control of the revenue officers. The result will be to put money into the pocket of every landlord, in Eastern Bengal at any rate; but because the power of summary eviction is at the same time barred, the zemindars denounce the Bill as revolutionary. They would gladly accept the enhancement, but will not concede its necessary concomitant, effective protection

of the cultivator.

The Bill also makes a very important distinction between *khamar* or *zeraet* land, which the landlord may use as he likes and ryotti land, in relation to which ryots are entitled to occupancy rights. The zemindars should not be entitled under the new law to increase the area of the existing *khamar* or *zeraet* land, so as to withdraw for their own special pleasure or benefit any portion of the present ryotti lands from the cultivation or of the possible use of ryots.

Coming now to ordinary ryots—ryots who do not possess occupancy rights—we find that under the existing law the rent of such a ryot can be enhanced only after service of notice. If after receiving the notice the ryot elects to remain in possession of the land, he is liable to eviction or to pay the rent demanded. The Bill provides that the landlord shall not eject an ordinary ryot except on the following grounds:

(*a*) For arrears of rent;

(*b*) On the ground that the ryot has used the land in a manner which renders it unfit for the purposes of tenancy, or that he has broken some condition on breach of which he is, under the terms of a written contract, liable to be ejected; or

(*c*) That he has refused to agree to an enhancement of rent on which the landlord insists.

In order to facilitate the growth of occupancy rights, as the only means of promoting the agricultural prosperity of the country, and to prevent the indiscriminate exercise of the device at present resorted to—namely, notice of exorbitant enhancement followed by evictions—it is provided that when the landlord proposes an enhancement to which the ryot does not agree, the ryot would be entitled, before being turned out, to the value of any improvements he may have effected, and 'a further sum by way of compensation for disturbance, equal to a certain multiple of the yearly increment of rent demanded'. The term 'disturbance,' it must be admitted, is not well chosen, and naturally has caused some apprehension on the part of the zemindars. Of course, from the ryot's point of view, to be suddenly called upon to pay an exorbitant increased rent, and, in default thereof, to be turned out of his land on which he has lived for several years, and then to be forced to find another plot for his sustenance, is a serious

calamity. If the zemindar is anxious to turn out the tenant, the small bonus contemplated by the Bill is an insignificant matter. 'The object in view,' to use the words of the Law Member, 'is to fix a multiple of the increase high enough to deter the landlord from making an extravagant demand, but not so high that the ryot would be induced by the prospect of obtaining it to refuse to accede to a reasonable enhancement.' This provision will require careful consideration in Select Committee, as its success or failure will depend mainly upon the care which will be bestowed upon its elaboration at this stage. There is no doubt that from the zemindar's point of view the provision is one by which his proprietary rights are greatly curtailed; at the same time, it must not be ignored that the encouragement which the legislature proposes to accord by the new measure to the growth of occupancy rights would serve as a great inducement to zemindars to evict ryots before they have acquired such rights, upon their refusal to accede to an exorbitant demand for increase of rent. That this fear is not based upon mere conjecture will be shown from the proceedings of the Zemindars' Associations, and the views openly expressed by many of them. The unsatisfactory character of the zemindari papers and accounts has not escaped notice in the Bill. Most of the complaints urged against the land system of Bengal as existing at present are founded upon this evil, which seems inherent to all zemindari management throughout Bengal. In order to remove the possibility of false testimony, the Bill provides that every landlord shall give to his tenant paying him rent a receipt containing full details of the ryot's liabilities, and shall keep a counterfoil of every receipt so granted; and that when a receipt does not contain full particulars, it shall be deemed to be an acquittance in full up to date. The landlord is also under the Bill bound to furnish the ryot for each agricultural year with a detailed statement of account between himself and such ryot for that year, and to keep a counterpart of every statement so furnished. Refusal or neglect to give receipts or furnish occounts subjects the person so refusing or neglecting to penal damages. These provisions, no doubt, will entail additional burdens upon the zemindars, and will to some extent add to the cost of collection; but, in the end, the change will be as beneficial to the zemindars

as to the ryots. If the accounts are kept properly and the receipts are open to no suspicion, the false defences so often raised by ryots will be rigorously discouraged in courts of justice; thus the saving in the cost of litigation will more than compensate for any extra cost incurred in acting up to the provisions of the law.

The Bill also provides for the deposit of rent in a public office. (1) when the rent is payable to co-sharers jointly, and the tenant is unable to obtain their joint receipt, and no person has been empowered to receive the rent on their behalf; and (2) when a tenant entertains a *bona-fide* doubt as to who is entitled to receive the rent. This latter clause, however, requires consideration. In places where the state of feeling between zemindars and ryots is at all strained, the tenants would be most apt to make use of this provision of the law as an engine for harassing their landlords. The discretion vested in the officer to refuse the deposit, if he does not think the circumstances of the case warrant its being made, does not seem, in my opinion, sufficient to meet the apprehended evil.

Besides the preparation of a table of rates, the Bill contains a chapter providing for the detailed settlement of rents by a revenue officer in certain cases. Under Chapter XI, the local Government is invested with the power of appointing an officer either to fix or merely ascertain and record rents. After the rents are settled, the officer making the settlement will prepare *jamabandi* papers (a rent-roll) showing the status of each tenant, the land held by him. the name of his landlord, whether the rent has been fixed or ascertained, and the amount of rent fixed or ascertained. This *jamabandi* will be published, and after sufficient opportunity has been allowed to the parties interested to prefer objections to the entries made by the settlement officer, it will be submitted to the higher revenue authorities, and, if ultimately sanctioned by the local Government, will continue in force for ten years.

As regards the procedure in rent-suits, no material change is made by the Bill. The power of appeal in certain cases is withdrawn, but in general the procedure remanis as under the existing law. Most of the suggestions that have been put forward on behalf of the landlords for simplifying the procedure are totally unworkable, or, as the Law Member pointed out. are ingeniously disguised

contrivances for shifting the burden of proof. The egislature has, however, endeavoured to simplify the rules applicable to particular classes of suits between landlords and tenants as much as possible, and assimilate them to the procedure adopted in suits cognizable by the Court of small Causes.

The power of distraint is given to the zemindars for the recovery of undisputed rent, but such power can only be exercised through the medium of the Civil Court. The Court, after a brief examination of the case, will depute an officer to distrain and sell the produce, and nothing will stay the sale except the payment into Court of the amount of the demand. This provision regarding distraint appears to be the result of a compromise. The Rent Commission suggested that the existing law of distraint, which had been abused in various parts of Bengal, should be abolished altogether. To this proposal strong objections were justly urged, on the ground that the withdrawal of every power of distraint would make it simply impossible for zemindars to recover the arrears of even undisputed rents. 'The procedure provided by this chapter was then devised by the Government of Bengal, as being likely to secure to the landlords most of the advantages afforded by the existing law, without exposing their tenants to the evils now complained of.'

Such are the main features of the measure in which an endeavour has been made to solve the land-problem of Bengal. In view of the conflict of interests existing between the landlords on one side and the tenants on the other, it is impossible to expect that either party will be satisfied with or willingly accept the proposals of Government. The zemindars have all along asked for a law which would enable them to enhance the rents of their ryots at their own discretion, and to realise such rents without the necessity of a recourse to Law Courts, as implying a check on the liberty of their action. The ryots, on the other hand, are not always ready to pay even their just rents, and claim at times to sit at rates that have long been obsolete.

As regards the zemindars' demands, the obvious answer is that no Government in the world can afford to hand over one class of its subjects to another, or subordinate the one to the other, so as to lead to serfdom. It is the duty of every well-organtsed Govern-

ment to guard the interests of all sections of the community. Ninety years ago the legislature made a blunder in not defining the mutual rights of the zemindars and ryots. After the lapse of a period close upon a century, it has awakened to the perception of the dangers involved in allowing any longer such rights to remain undefined and indeterminate. Because the legislature did not define the rights of the tenants before, it would be absurd to say that those rights are non-existent. Nor can the Government pay any heed to unreasonable demands on the part of the ryots. All that the ryots can justly claim is to be assured of their holdings, with reasonable security against capricious eviction and illegitimate enhancement. The new Rent Bill represents an honest endeavour on the part of Government to furnish a satisfactory solution for some of the difficulties, and to place as far as possible the mutual relations of the two parties to the present question upon a definite and intelligible basis.

5

THE REAL STATUS OF WOMEN IN ISLAM

[*The Nineteenth Century*, September 1891, pp. 387-99]

I have read with some surprise the article by Mrs. Reichardt on Mohammedan Women in the June number of this Review. I should have thought that a Christian lady, and presumably an English woman, would speak with some reserve of a teacher who is regarded with veneration by forty millions of Her Majesty's subjects in the East, and would have the good taste not to offend their religious susceptibilities by the unnecessary use of mediaeval vituperation. I am not concerned, however, with the manner of the writer's statements, but with the matter thereof. The standard of good taste is variable, and differs in each individual. Mrs. Reichardt has strung together a number of stories, partly ridiculous and partly disgusting, the scenes of which are laid in Syria and Egypt, where the lady seems to have resided, and upon the force of them she asks her readers to declare that the Islamic system is a curse, and the status of women under it low. No doubt her manner of attack will to some extent answer its purpose, and create, or rather accentuate, the existing aversion to Islam—an aversion which, fostered originally by designing ecclesiastics like Pope Gregory the Seventh, has existed in Christendom from the time of the Crusades.

Few of Mrs. Reichardt's readers will stop to consider whether her tales are genuine or probable—whether they have any bearing on the wider issue she has raised, namely, the comparative status of women under Islam and Christianity—or to think that the same abuses which she recites as occurring in some Mohammedan

families, exist sometimes grosser form in Christian families. They will be carried away by the disgust of the moment. Some of her stories, instead of reflecting any discredit on the Mussulmans, to my philistine mind convey a decidedly favourable impression. For example, even Mrs. Reichardt may approve of the feeling (however ignorantly expressed) which actuated the water-carrier in giving a warning to her before entering her apartments. And I think that modesty, however exaggerated, is not out of place in this planet of ours.

As regards the other stories, I will not indulge in *tu quoques*. I shall not point to the tale told by the daily reports of trials in the police courts—a tale not dependent on the veracity of gossips or the colouring of missionary imagination—of parents maiming their offspring or beating them to death, of husbands trampling on their wives with hob-nailed boots, of the abominable brutalities inflicted on women and children by professed Christians; I shall not dwell upon the revelations in the divorce courts (not to refer to anything else), nor speak of the seething mass of immorality, depravity, and cruel heartlessness existing on the heart of Christian England. I would not be justified in pointing to the revolting sights one sees in the populous towns of Christendom as the outcome of Christianity. I would only ask Mrs. Reichardt to recognise that the crimes or the follies committed by Moslems may spring from other causes than their religion. Neither virtue nor vice is the peculiar property of any race or creed, and the lower nature of man will find expression in spite of the teachings of Chirst or Mohammed.

The writer, however, is neither logical nor historically correct in her exposition of the status of women in Islam. She compares, albeit unconsciously, the status of an English woman in the year 1891 with a state of society in Syria and Egypt resembling more the conditions of life in Europe in the fifteenth century. But regarding this I shall have to say a few words later. Is she not aware that in many continental countries, in Russia specially, in the Spanish Colonies of South America, and in Mexico, the position of women is open to the same criticisms which she has levelled against the Syrian and Egyptian Moslems? Is it just or honest, by retailing stories, poured into willing ears, of possible and

impossible incidents among semi-civilised people, to create a prejudice against all Moslems?

With these preliminary observations, I proceed to deal with the gist of Mrs. Reichardt's arguments. 'Upas-tree,' 'baleful influence,' and other such-like phrases apart, her indictment against Islam, if I understand her rightly, resolves itself into four charges, viz. the seclusion of women and the low status assigned to them; the plurality of wives and the facility of divorce. It is the old oft-repeated story which has formed the burden of ecclesiastical attacks on Islam for several centuries. Mrs. Reichardt takes credit to 'the Old and the New Covenant.' for the position which women now occupy in Christendom.

An examination of the position of women under what the writer calls the 'Old Covenant' will show how groundless that assertion is. The Hebrew maiden, even in her father's house, stood in the position of a servant; her father could sell her if a minor. In case of his death, the sons could dispose of her at their will and pleasure. The daughter inherited nothing, except when there were no male heirs. Marriages were invariably arranged by the parents and wives were brought upon a recognised method of valuation. The Mosaic law set down the price at a uniform rate of 50 shekels nearly £4 sterling of English money—but it nevertheless varied in practice according to the station in life of the bride and bridegroom. Unrestrained polygamy was practised among all classes. Child-marriage was frequent, as it still is, among the Jews of Palestine. There was no limitation on the power of the husband to divorce the wife. It was sufficient 'to write a bill of divorcement' and dismiss the wife for no cause whatsoever: the wife having no power to divorce the husband nor to apply even to the judge to release her from an irksome bondage. This was the condition of women under the vaunted 'Old Covenant'.

Before I deal with their position under the 'New Covenant,' it may be as well to show what their conditionwas among the settled Pagan Arabs, and in the neighbouring empire of Persia. Among the former, who were mostly influenced by the corrupt and effete civilisation of the neighbouring empires, a woman was considered a mere chattel; she formed an integral part of the estate of her father, and the widows of a man descended to his eldest son by

right of inheritance, as any other portion of his patrimony. Hence the frequent unions between stepsons and mothers-in-law, which, when subsequently forbidden by Islam, were branded under the name of *Nikah-al-Makt* ('shameful or odious marriages'). Even polyandry was practised by the half-Jewish, half-Sabaean tribes of Yemen, and female infanticide was common.

The corruptness of morals in Persia was fearful. There was no recognised law of marriage, or, if any existed, it was completely ignored. In the absence of any fixed rule in the Zend-Avesta as to the number of wives a man might possess, the Persians indulged in a multitude of regular matrimonial connections, besides having a number of concubines.

What did Christianity do to improve the position of women? It may be, as it is said, that Jesus mixed familiarly with women, and discoursed to them about His teachings. But of Christianity in its relation to womankind the less said the better. In the early ages, when the religion of the people, high and low, the ignorant and educated, consisted only of the adoration of the mother of Jesus, the Church of Christ had placed the sex under a ban. The 'Fathers of the Church' wrote upon the enormities of women, their evil tendencies, their inconceivable malignity; and Tertullian, that holy saint, described them as 'the devil's gateway, the unsealer of the forbidden tree, the deserter of the divine law, the destroyer of God's image—man.' And St. Chrysostom pronounced woman to be a 'necessary evil, a natural temptation, a desirable calamity, a domestic peril, a deadly fascination, a painted ill.'

The Orthodox Church excluded woman from the exercise of all but the lowliest religious functions. They were excluded absolutely from society, they were prohibited from appearing in public, from going to feasts or banquets. They were directed to remain in seclusion, to observe silence, to obey their husbands, and to apply themselves to weaving and spinning and cooking. If they ever went out they were to be clothed from head to foot. Such was the position of women in Christianity when Mariolatry was recognised and practised by all classes. In later times, and in the interval which elapsed between the overthrow of the Western Empire and the rise of modern society in Europe, a period which has been described as one of 'rapine, falsehood, tyranny, lust and violence,'

Christianity, by introducing convents and nunneries, in some respects improved the lot of women. But the convents were not always the haunts of virtue, nor the inculcation of celibacy the surest safeguard of chastity. The *Registrum Visitationum*, or the *diary of the pastoral visits of Archbishop Rigaud, throws a peculiar* light upon the state of morality and the position of the sex during the most glarious epoch of the Age of Faith. The rise of Protestantism made no difference in the status of woman. Jesus had treated woman with humanity; his followers excluded her from justice.

The age of chivalry is generally supposed to extend from the beginning of the eighth to the close of the fourteenth century—a period, be it noted, almost sychronous with the Saracenic domination in Spain. During this period, in spite of the halo which poetry and romance have cast around the conditions of society, women were the frequent subjects of violence. Force and fraud were the distinguishing characteristics of the golden age of Christian chivalry. Polygamy was practised by classes; morganatic and left-handed marriages were not confined to the aristocrary. Even the clergy, frequently forgetting their vows of celibacy, contracted more than one legal or illegal union. History proves conclusively that, until very recent times, polygamy was not considered so reprehensible as it is now. The German reformers, as Hallam points out, even so late as the sixteenth century, admitted the validity of a second or a third marriage contemporaneously with the first, in default of issue and other similar causes. Charlemagne, as is well known, had several wives.

Whether the unlicensed polyandry prevalent among certain classes in the West is preferable to the licensed polygamy practised by certain sections in the East, is a question on which I do not offer an opinion. Sufficient it is for me to say that the position of women under Christianity—until culture and progress in material development and humanitarian science called into existence that unwritten code of honour which is now in force among the *really* civilised communities of the West—the lot of Christian women was by no means so enviable as Mrs. Reichardt would fain make us believe. Under Justinian, the champion of orthodoxy, the streets of Constantinople were the scenes of the grossest and

most revolting outrages. In the streets of Alexandria, a woman, whose only crimes were her beauty and her learning, was torn to pieces by the following of Christian saint. Had St. Cyril written a book on women he would probably have agreed with the Hindoo legislator, Manu, who declared that a wife guilty of disobedience to her husband should be torn to pieces by wild dogs where the four highways meet. In mediaeval times, women were outraged, carried into captivity, thrown into dungeons, scourged by the feudal chiefs of devoutly Christian Europe. They were burnt, they were drowned.

Mohammed appeared at this epoch. It was not his businss to go about the countryside unhinging people's minds by announcing the immediate advent of 'the Kingdom of Heaven'. He applied himself to evolve order out of chaos. He had seen the immorality of the Syrian Christians; he had before his eyes the depravity of the settled Arabs and Jews. He restrained the power of divorce; practically forbade polygamy and concubinage, and placed women on a pedestal hardly approached (say what fanatics may) up to that time.

I have already shown the cruel powers possessed by the Hebrew husband under the 'Old Covenant' to divorce his defenceless wife. Among the Romans, the legality of the practice of divorce was recognised from the earliest times. The laws of the Twelve Tables admitted divorce; and if the Romans, as is stated by their admirers, did not take advantage of this law until five hundred years after the foundation of their city, it was not because they were more exemplary than other nations, but because the husband possessed the more cogent power of summarily putting his wife to death for acts like poisoning, drinking, and the substitution of a spurious child. But the wife had no right to sue for a divorce; and if she solicited separation her temerity made her liable to punishment. In the later republic, the frequency of divorce was at once the sign, the cause, and the consequence of the rapid depravation of morals.

'The ambiguous word which contains the precept of Jesus is flexible to any interpretation that the wisdom of the legilator can demand.' We may well suppose that at the time Jesus uttered the words, 'What God has joined, let no man put asunder,' he had

no other idea than that of stemming the torrent of moral depravity, and he did not pause to consider the ultimate tendency of his words. The subsequent rule, which makes fornication (using the translated word) the only ground of valid divorce, shows how abundantly Jesus was alive to the emergency. But the 'wisdom' of later Christian legislators has not confined itself to a blind adherence to a precept laid down probably to suit the requirement of an embryonic community, and delivered verbally. The rule may be regarded as inculcating a noble sentiment; but that it should be considered as the typical law of divorce is sufficiently controverted by the multitudinous provisions of successive ages in Christian countries.

Two of the Christian Gospels make no mention of the reason for which Jesus allowed his followers 'to put away' their wives (Mark x. 11 and Luke xvi. 18). If the traditions recorded in these two Gospels be considered of higher authority than those passing under the name of Matthew, then one can easily perceive the force of what Selden says, that by an evasive answer Jesus wanted to avoid giving offence either to the school of Shammai or that of Hillel.

Among the pagan Arabs, the power of divorce possessed by the husband was unlimited. They recognised no rule of humanity or justice in the treatment of their wives. Such was the position of women when Mohammed appeared. All his recorded sayings show that he looked upon the custom of divorce with extreme disapproval and considered its practice as calculated to undermine the foundations of society. He repeatedly declared that nothing pleased God more than the emancipation of slaves, and nothing displeased Him more than divorce. It was impossible, however, under existing conditions to abolish the custom entirely. His mission was to mould the minds of an uncultured and semi-barbarous community to a higher development. The custom was interwoven with the habits of the people, and had become sanctified by the practice of ages; and accordingly he allowed the exercise of the power of divorce to husbands under stringent conditions. He permitted to divorced parties three distinct and separate periods within which they might endeavour to become reconciled and renew their conjugal intercourse; but should all attempts to

become reconciled prove unsuccessful, thent he third period, in which the final separation was declared to have arrived, supervened. In case of conjugal disputes, he advised reconciliation by means of arbiters chosen by the two disputants.

As usual, 'the Fathers of the Church' (and 'Fathers' are to be found in every church) have taken up the temporary permission as the positive rule, and ignored the principles of humanity, justice, and equity inculcated by the Master. I consider, however, that the rules laid down by them are far more humane and just towards women than those of the most perfect Roman law, developed in the bosom of the Christian Church. According to the Moslem legists, the wife also is entitled to demand a separation on the ground of ill-usage, want of proper maintenance, and various other causes, and the Kazi (the judge) is empowered to decree separation if the facts are established. In every case where the divorce originates with the husband, he has to give up to the wife everything he settled upon her at her marriage. The frequent admonitions in the Koran against separations, the repeated recommendation to heal quarrels by private reconciliation, show how sacred the Arab legislator held the marriage tie: 'And if ye fear a breach between them (man and wife), then send a judge chosen from his family, and a judge chosen from her family, &c. &c.'

Mrs. Reichardt says, as other Christian controversialists have said before, that Mohammed allowed his followers, besides the four legitimate wives, to take to themselves any number of female slaves. A simple statement of the regulation on this point will show at once how opposed this notion is to the true precepts of Islam.

'Whoso among you hath not the means to marry a free believing woman, then let him marry such of your maid-servants whom your right hands possess and who are believers. This is allowed unto him among you who is afraid of committing sin; but if ye abstain from allying yourself with slaves it will be better for you.'

Concubinage, the union of people standing to each other in the relation of master and slave, without the sanction of matrimony, existed among the Arabs, the Jews, the Christians, and all the other nations. The Prophet did not in the beginning denounce the custom, but towards the end of his career he expressly forbade it.

'And you are permitted to marry virtuous women who are believers, and virtuous women of those who have been given the scriptures before you, when you have provided them their portions, living chastely with them without fornication, and not taking concubines.'

How favourably does the tolerant spirit displayed in the first part of this commandment compare with the exclusiveness of Christian ecclesiasticism, which refused to recognise as valid or lawful the union of a Christian with a non-Christian, unless he happened to be a king! The stake was the lot of the 'infidel' who had the temerity to marry a *Christian*! Mohammed's rule, it must be admitted, was a distinct advance in humanity.

Now as regards polygamy, which is always cast into the teeth of Islam by unthinking antagonists, Mohammed found it practised, not only among his own people, but amongst the people of the neighbouring countries, where it assumed some of its most frightful aspects. There was no limit to the number of wives a Jew or a Zoroastrian might marry; and in spite of the endeavour of Justinian to correct the evil, the case was the same with the Christians. Polygamy flourished unchecked among all classes of people, and the wretched women, with the exception of the first wife selected according to priority of time, laboured under severe disabilities.

Mohammed enforced as one of the essential teachings of his creed, 'respect for women,' and his followers, in their love and reverence for his celebrated daughter, proclaimed her 'the Lady of Paradise,' as the representative of her sex. Our 'Lady of Light' is the embodiment of all that is ideal in womanhood—of all that is pure and true and holy in her sex. And she has been followed by a long succession of women, who have consecrated their sex by their virtues. Their noble lives and works have always furnished an example to the women of succeeding ages to venerate and follow.

'Paradise is at the feet of the mother,' said the Prophet of Islam. This sweet and holy teaching which inculcates that love and devotion to the mother is the greatest act of piety, gives some idea of the high position which women occupy in Islam. The Arabian Prophet prohibited the custom of conditional marriages, and, though at first temporary marriages were tacitly allowed, in

the third year of the Hegira these also were forbidden. Mohammed secured to women, in his system, rights which they had not before possessed, and placed them on a footing of perfect equality with men in the exercise of all legal powers and functions. He restrained polygamy by limiting the maximum number of contemporaneous marriages, and by making *absolute equity towards all* obligatory on the man. It is worthy of note that the clause in the Koran which contains the permission to contract four contemporaneous marriages is made dependent upon the condition that the man is able to deal *equitably* and *justly* with all the four wives. The condition, therefore, cuts down the permission to its legitimate dimensions. The passage runs thus: 'You may marry two, three, or four wives, but not more.' The subsequent lines declare, 'but if you cannot deal equitably and justly with all, you *shall* marry only one.' The extreme importance of this proviso, bearing especially in mind the meaning which is attached to the word 'equity' (*adl*) in the Koranic teachings, has not been lost sight of by the great thinkers of the Moslem world.

Even so early as the third century of the Hegira, during the reign of Al-Mamun, the first Mutazalite doctors taught that the developed Koranic laws inculcated monogamy. And though the cruel persecutions of the mad bigot Mutawwakkil prevented the general diffusion of their teachings, the conviction is gradually forcing itself on all sides, in all advanced Moslem communities, that polygamy is as much opposed to the teachings of Mohammed as it is to the general progress of civilised society and true culture.

In India more than 95 per cent. of the Moslems are monogamists; in Persia 98 per cent., according to Colonel Macgregor's testimony. In Arabia and Turkey the practice of plurality of wives is confined to a very small class of people (compare Van Lennep and Niebuhr, both as worthy of credit as the authoress of the article under notice).

As regards divorce, speaking from a somewhat extensive experience of this province—which alone contains nearly twenty-two millions of Mussulmans—I know of only half a dozen cases occurring within the space of twenty-five years among the respectable classes—one of which, however, emanated from the wife. In all these cases there were faults on both sides. If the women nowadays

have not the some facility as before for obtaining a divorce on the ground of ill-treatment, &c., the blame lies at other doors Under the British rule, there seems to be no machinery for administering that branch of the Mohammedan law. In this respect, it must be said, the English in India have acted differently from the French in Algeria, who have maintained and improved the indigenous institutions. I hope, however, that the time is not far distant when the Moslems will prefer to follow the Prophet instead of the 'Fathers'; and will, in the absence of the Kazi, decide conjugal disputes by 'arbiters' instead of imitating the followers of the 'Old Covenant'.

The system of the seclusion of females where it exists among Moslems is a survival of an older growth. I had been in practice among most of the nations of antiquity from the earliest times. The gynaikonitis was a familiar institution among the Athenians; and the inmates of an Athenian *harem* as jealously guarded from public gaze as the members of a Persian household then, or of an Indian household now. The gynaikonomoi, like his Oriental counterpart, was the faithful warder of female privacy, and rigorously watched over the ladies of Athens. The seclusion of women naturally gave birth to the caste of Hetairai, various members of whom played such an important part in Athenian history. Were it not for the extraordinary and almost inexplicable spectacle presented by the Byzantine Empire and modern Europe and America, I should have said that in every society at all advanced in the arts of civilised life, the growth of the unhappy class of beings whose existence is alike a reproach to humanity and a disgrace to civilisation was due to the withdrawal of women from the legitimate exercise of their ennobling, purifying, and humanising influence. The Babylonians, the Etruscans, the Athenians, and the pre-Islamite Meccans furnish the best exemplification of this view in ancient times.

The enormity of the social canker eating into the heart and poisoning the life-blood of nations in modern times is due, however, to the spread of godless materialism covered with a thin veneer of religion, be it Christianity, be it Mohammedanism, or any other form of creed. Mohammed had, in early life, observed with pain and sorrow the terrible depravity prevailing among the

Meccans, and he took the most effective step suited to the age and the people to stem out the evil. Among the women of the Arabs fashion was as strong as in other ages and countries. It was the fashion among them to imitate the example of the Hetairai (*Kiyan*) and walk in the streets jingling their anklets with their bosoms half exposed. Those who have travelled in Upper Egypt or Lower Bengal will probably understand the immodesty to which I am referring. The Prophet of Islam found the custom of seclusion of women existing among the Persians and other Oriental communities; he perceived its advantages, and it is possible that in view of the widespread laxity of morals among all classes of people. he recommended to women the observance of privacy. But to suppose for a moment that he ever intended that his recommendation should assume its present inelastic form or that he ever allowed or enjoined the *seclusion* of women, is wholly opposed to the spirit of his reforms. The Koran itself affords no warrant for holding that the seclusion of women is a part of the new gospel.

'O Prophet! speak to thy wives and to thy daughters, and to the wives of the faithful, that they let their wrappers fall low.'

'And speak to the believing women, that they refrain their looks and observe continence; and that they display not their ornaments except those which are external, and that they draw their kerchiefs over their bosoms.'

The women were also enjoined not to take off their outer garments in the presence of any male except their fathers, husbands, or brothers. (This is supposed to mean unveiling themselves.)

The reasons for these directions are easy to understand in the midst of the social and moral chaos from which he was endeavouring, under God's guidance, to evolve order. They were wise and beneficent injunctions, having for their object the promotion of decency among women, the improvement of their dress and demeanour, and their protection from insult. It is a mistake, therefore, to suppose there is anything in the law which tends to the perpetuation of the custom. Considerable light is thrown on the lawgiver's recommendation for famale privacy, by the remarkable immunity from restraint or seclusion which the members of his family always enjoyed. Ayesho [*sic*], the daughter of Abu Bakr, who was married to Mohammed on Khadija's death, personally

conducted the insurrectionary movement against Ali. She commanded her own troops at the famous 'Battle of the Camel'. Fatima, 'our Lady of Light,' often took part in the discussions regarding the succession to the Caliphate, and her sermons, breathing that sweet nobility, that divine purity, which distinguished her character, are still extant. The grand-daughter of Mohammed, Zainab, the sister of Hussain, shielded her youthful nephew from the Ommeyodes [*sic.*] after the butchery of Kerbela, and by her indomitable spirit awed the ferocious soldiery of Yezid.

According to Von Hammer, 'the *harem* is a sanctuary: it is prohibited to strangers, not because women are considered unworthy of confidence, but on account of the sacredness with which custom and manners invest them. The degree of reverence which is accorded to women throughout higher Asia and Europe (among Mohammedan communities) is a matter capable of the clearest demonstration'.

Hamilton, the translator of the Hedaya, dealing with the chapter on Decorum, says, 'This seclusion is a result of *jealousy* or *pride*, and not of any legal *injunction*, as appears in this and several other parts of the Hedaya.' And Marsden, in his *Travels*, says, 'The Arab settlers in Java never observed the custom [of seclusion of women], and the Javanese Mussulman women enjoy the same amount of freedom as their Dutch sisters.'

In the early centuries of Islam, almost until the extinction of the Saracenic empire in the East, women continued to occupy as exalted a position as in modern society. Zobeida, the wife of Horun [*sic*] plays a conspicuous part in the history of the age, and by her virtues, as well as by her accomplishments, leaves an honoured name to posterity. Humieda, the wife of Faruk, a Medinite citizen, left for many years the sole guardian of her minor son, educates him to become one of the most distinguished jurisconsults of the day. Sukinah, or Sakina, the daughter of Hussain and the grand-daughter of Ali, was the most brilliant, most accomplished, and most virtuous woman of her time—'la dame des dames de son temps, la plus belle, la plus gracieuse, la plus brillante de qualites,' as Perron calls her. Herself no mean scholar, she prized the converse of learned and pious people. Buran, the wife of the Caliph Mamun, Ummul-Fazl, Mamun's

sister married to the eighth Imam of the house of Ali, Umm-i-Habil, Mamun's daughter, were all famous for their scholarship.

In the fifth century of the Hegira, the Sheikha Shuhda, designated *Fakhrunnissa* ('the glory of women'), lectured publicly at the Musjid-i-Jama of Baghdad, to large audiences, on literature, rhetoric, and poetry. She occupies in the annals of Islam a position of equality with the most distinguished ulemas [*sic*]. What would have befallen this lady had she flourished among the fellow-religionists of St. Cyril can be judged by the fate of Hypatia. Possibly she would not have been torn to pieces by enthusiastic Christians, but she would to a certainty have been burnt as a witch. Dzat-ul-Hemma, corrupted into Dzemma 'the lion-heart,' the heroine of many battles, fought side by side with the bravest knights.

It is a calumny, therefore, to say that the Islamic system has lowered the status of women. The Teacher who, in an age when no country, no system, no community gave any right to women, maiden or married, mother or wife—who, in a country where the birth of a daughter was considered a calamity, secured to the sex rights which are only unwillingly and under pressure being conceded to them by the civilised nations in the nineteenth century—deserves the gratitude of humanity. If Mohammed had done nothing more, his claim to be a benefactor of mankind would have been indisputable. Even under the laws as they stand at present in the pages of the legists, the legal position of Moslem females may be said to compare favourably with that of European women. As long as a Mohammedan woman is unmarried she remains under the parental roof, and until she attains her majority she is to some extent under the control of the father or his representative. As soon, however, as she is of age, the law vests in her all the rights which belong to her as an independent human being. She is entitled to share in the inheritance of her parents along with her brothers, and, though the proportion is different, the distinction is founded on the relative position of brother and sister. A woman who is *sui juris* can under no circumstance be married without her own express consent, 'not even by the Sultan'. Centuries after this principle was laid down by the Moslem jurists the sovereigns and chiefs of Christendom were in

the habit of forcibly marrying women to their subjects. On her marriage she does not lose her individuality. She does not cease to be a separate member of society. An ante-nuptial settlement by the husband in favour of the wife is a necessary condition, and on his failure to make a settlement the law presumes one in accordance with the social position of the wife. A Moslem marriage is a civil act needing no priest, requiring no ceremonial. The contract of marriage gives the man no power over the woman's person beyond what the law defines, and none whatever upon her goods and property. Her rights as a mother do not depend for their recognition upon the idiosyncrasies of individual judges. Her earnings acquired by her own exertions cannot be wasted by a prodigal husband, nor can she be ill-treated with impunity by one who is brutal. She acts, if *sui juris*, in all maters which relate to herself and her property in her own individual right, without the intervention of husband or father. She can sue her debtors in the open courts, without the necessity of joining a next friend [*sic*] or under cover of her husband's name. She continues to exercise, after she has passed from her father's house into her husband's home, all the rights which the law gives to men. All the privileges which belong to her as a woman and a wife are secured to her, not by the courtesies which 'come and go,' but by the actual text in the book of law. Taken as a whole, the legal status of a Mohammedan woman is not more unfavourable than that of many a European woman, whilst in many respects she occupies a decidedly better position.

Nineteen centuries of progressive development working with the legacy of a prior civilisation, under the most favourable racial and climatic conditions, have tended to place the women in certain parts of Europe and America on a higher social level than the men—have given birth to a code of etiquette which, at least ostensibly, recognises the right of women to higher social respect. And yet a great and civilised empire, the professed champion of Christianity, condemns women to the punishment of the lash and the outrages of fiendish guards in Siberian mines, and the people who wept so profusely over the wrongs of the Italian Poerio have not a tear for the miseries of these wretched women; they who went into hysterics over the myths wafted from Bulgaria

to the shores of Great Britain have no word of reprobation for the sufferings of the women of a race to which belonged Mary and Magdalen!

If the Mohammedan women in the present day are not so advanced as their Christian sisters in the West, their backwardness is not due to the Koranic teachings, but to the general extinction among the Moslems of culture and progress under the avalanche of savagery which issued from the wilds of Tartary in the thirteenth century, overwhelming the whole of Western Asia with ruin and desolation. But if they do not in another hundred years attain to the social position of European women, there will be time enough to declaim against Islam as a system and dispensation.

6

THE RUPEE AND THE RUIN OF INDIA

[*The Nineteenth Century*, March 1893, pp. 515-24]

An impression seems to prevail in certain quarters that the fall in the gold value of silver affects only the European officials in India, and that an attempt to restore the rupee to anything like its old value would be prejudicial to the people of the country. This fallacious idea owes its origin, no doubt, to an imperfect acquaintance with the condition of the masses, and I therefore propose to show how the depreciation of the rupee in relation to gold affects the population at large. With the wealthy rajah, the rich *mahajan*, and the flourishing pleader I have no concern; when the general weal is in the balance, their interests are of little weight. The general population of India may, for the purposes of my remarks, be divided into two classes, agricultural and non-agricultural. The non-agricultural portion, speaking roughly, forms about one-third of the entire body of inhabitants Of the so-called agricultural classes, the largest portion, or more than three-fourths, are mere labourers, and are consequently classified as such in all Government statistics.

The first question to consider, therefore, is how the fall in the gold value of the rupee affects the non-agricultural classes and the urban population of India. In connection with this, one circumstance which furnishes a remarkable index to the popular feelings is worthy of note. Throughout the country there is an opinion prevalent among the masses that the Queen's rupee does not possess the same 'blessing' as the old coins bearing the King's effigy. This opinion is loudly expressed among themselves, and

often to outsiders when the fear of the public or of the penal code is not present to their minds; but the idea has a strong hold over them, and is a frequent topic of bewailment. The feeling, no doubt, is an ignorant expression of the fact that the purchasing power of the rupee has declined, that it does not go as far to relieve their wants as before. In their ignorance they are unable to apprehend the causes of this decline, and are led to ascribe it somehow to the British rule. They would not be far wrong in supposing that were it not for the lethargy which hangs over the counsels of Government the distress would be neither so acute nor so prolonged.

Coming back to the question, How does the fall in the gold value of the rupee affect the people in general? We find that within the last twenty years the incomes of the wage-receiving classes have for the most part remained stationary, whilst the prices of foodgrains have risen by leaps and bounds. Among the wage-receiving classes I include the underpaid 'ministerial' clerks of Government, the not overpaid clerks in the employ of private individuals or companies and people in the like condition.

Taking Bengal first, we find that in 1873 the monthly wages of the agricultural labourers varied from Rs. 3 in the Behar districts to Rs. 10 in Chittagong, giving on the average Rs. 5 over the whole province. In the North-Western Provinces the average wages amounted to Rs. 4 a month, in the Punjab to Rs. 5, in the Madras Presidency to Rs. 3. Of a horsekeeper, in Bengal, the average wages were Rs. 5; of a common mason or blacksmith, Rs. 9. In 1878 the average wages of the agricultural labourer in Bengal were Rs. 5; in the North-West, Rs. 4; in the Punjab, Rs. 6. Of a horsekeeper the average wages during this year in Bengal were Rs. 5; of a common blacksmith or carpenter a little over Rs. 9. From 1883 to 1888 there was no substantial variation in the wages; in 1891 there was, if anything, a reduction.[1] In towns like Calcutta, Patna, Cawnpore, Meerut, Bombay, and Kurrachee some slight increase is shown, but the variation is so small as to be of very little account in the consideration of the general question. For

1. These averages are struck from figures in Government statistics. I have not given the fractions.

example, in Calcutta the average of wages of a common mason or carpenter or blacksmith between 1873 and 1880 is given as Rs. 13, 3a. 1⅛p; between 1881 and 1885, Rs. 12, 8a, 9⅜p; between 1886 and 1892, Rs. 14 and a fraction. In Patna the average wages during the same periods were Rs. 6, 10a, 6p, Rs. 6, 12a, 6p, Rs. 7, 4a, 4p, and Rs. 7, 8a. Of the agricultural labourer the average wages in Patna were Rs. 3, 8a, Rs. 3, 14a. Rs. 4, 8a, Rs. 4, 8a, and so forth.

A reference to the wage rates in some of the industrial and other establishments may also prove useful. At the Mirzapore East India Railway station the maximum wage of a blacksmith in 1866 was Rs. 10, in 1892 it was the same, although it had a slight rise for some years in the interval. The minimum of Rs. 8 has always remained the same. The carpenter's wage in 1892 was the same as in 1870, viz. Rs. 10. In private establishments, such as collieries, no change in the monthly wage rates is perceptible. It would be useless to multiply examples for what I have stated above, that, in spite of little variations here and there, the bulk of the wage rates in Bengal have remained stationary.

As regards the clerks, &c., in the employ of Government, or of private individuals, or companies, railway, trading and banking, it is notorious that their incomes have not varied for the last twenty years, and those of the professional classes (among whom I might mention the country *mookhtears* and the native doctors) have fallen, whatever the cause of the fall may be.

During this period of time the fluctuation in the gold value of the rupee has been as follows.

Year		*Average rate for Rupee* s.	d.
1872	...	1	11¼
1873	...	i	10¾
1874	...	1	10¼
1875	...	1	10
1876	...	1	9½
1877	..	1	8½
1878	...	1	8¾
1879	...	1	7¾

Year		*Average rate for Rupee*	
		s.	d.
1880	...	1	8
1881	...	1	8
1882	...	1	8
1883	...	1	7½
1884	...	1	7½
1885	...	1	7¼
1886	...	1	6¼
1887	...	1	5½
1888	...	1	5
1889	...	1	4½
1890	...	1	6
1891	...	1	4½

In March 1892 it stood at 1s.3¼d. ; a slight reaction raised it to 1s.4⅛d. ; since then it has declined steadily. and now stands at 1s.2$\frac{3}{32}$d.

Whilst, as shown already, the earnings of the wage-receiving classes have practically remained stationary, the price of the food-grains has gone on increasing steadily in inverse proportion to the rapid declension in the gold value of the rupee.

In 1873 the average retail price in Bengal of common rice was Rs. 1, 10a, and of *ballam* rice Rs. 1. 14a per maund ; in 1878, which was an abnormal year, the price of the first rose to Rs. 3, 5a, 4p ; in 1883 it fell to Rs. 2 ; in 1888 it rose to Rs. 2. 1a ; in 1891 to Rs. 2, 9a, 4p. Of other foodgrains the prices varied as follows :

		Rs.	a.	p.
Wheat, 1873	...	3	11	3
,, 1878	...	4	0	7
,, 1883	...	3	1	3
,, 1888	...	3	12	3
,, 1891	...	3	15	9
Grain, 1883	...	2	2	7
,, 1888	...	2	4	6
,, 1891	...	2	4	9

Millet sold in 1873 at Re. 1, 5a. 4p per maund, in 1892 for Rs. 2, 5a, 8p, and is now sold for Rs 2, 8a.

In January 1893 the retail price of common country rice had risen to Rs. 3, 13a per maund, and of *ballam* rice to Rs. 4, 8a. The table hereunder shows the prices of other foodgrains at the beginning of the current year, taking a general average from three different places:

TABLE SHOWING PRICES OF FOODGRAINS AND SALT, JANUARY 1893

			Rs.	a.	p.
Table rice (1st class), per maund			6	4	0
Common country rice	,,		3	13	0
Ballam rice	,,		4	8	0
Grain	,,		2	12	0
Millet	,,		2	8	0
Wheat	,,	4 6 0 to	4	12	0
Pulse (Arhar)	,,		3	8	0

When we consider that among the labouring classes the average number of adults composing a household is three, and among classes slightly better off five, it will be seen how heavily the rise in the price of foodgrains presses upon these people. They are, in fact, on the verge of starvation, and the majority of them have to be satisfied with one meal a day.

The intimate connection between the fall in the gold value of the rupee and the abnormal rise in the prices of foodgrains is self-evident. It is in fact admitted, and a claim is based upon it by the speculative exporter that no attempt should be made to remedy the evil.

It is said that the agricultural classes have gained by the depreciation of the rupee, and it is urged that the export trade in India in grains and cereals of all kinds derives its chief impetus from the falling exchange and is beneficial to the agriculturist because he sells so much more! I shall not pause to inquire whether an export trade in foodgrains factitiously fostered and maintained by the fall in the gold value of silver is beneficial to the people; nor shall I dwell on the fact that whatever impetus the export trade in grains has received from the fall in the exchange has resulted to the benefit of the small body of the produce brokers and

exporters, who are now vociferously clamouring to prevent any interference to rehabilitate the rupee. The genuine export trade of India owes its development to causes wholly independent of the depreciation of silver. The Suez Canal, increased facilities of transport, immense reduction in the freight of goods, the construction of railways and roads have combined to develop this trade. Were it left to these natural agencies for its development, the rise in the price of foodgrains would have been balanced by the decline, owing to the same causes, in the prices of other necessaries of life. But the fall in the rupee has intensified the evil and accentuated the burden upon the people. The produce broker and the exporter are, no doubt, able with their sovereign to buy sixteen rupees' worth of goods, but how far that benefits the producer or the agriculturist I shall now proceed to examine. If, instead of theorising, we would only take the trouble to inquire for ourselves into the question of this hypothetical benefit, we would find that the bulk of the profit due to increased prices of foodgrains goes into the pocket of the exporter; in another case, when the grain remains for consumption in the country, to that of the wholesale *mahajans* and the retail dealers. In Bengal, the producer himself estimates his profit as four annas to ten annas per maund over the old prices that existed before the 'cyclone,' which takes us back to the year of grace 1864.

But let us look to the other side of his account. For the agriculturist also, all over the country, the necessaries of life other than what he himself grows—the clothes which he wears, the oil which he burns, the salt for himself and his cattle, &c.—have become dearer. And, what is more, his rent is enhanced because he obtains more for his produce. Under a rule of peace and equal laws, free from the danger, generally speaking, of illegal exactions or forced contributions, with the developing resources of the country, the people had immense and potential opportunity of prosperity, had it not been for the terrible curse of a depreciated currency. Careful inquiry would show that no benefit accrues to any section of the people, agriculturist or non-agriculturist. If the former wears an aspect of comparative prosperity, it is due to fairly good harvests and the immunity he has enjoyed for the last few decades from illegal exactions and 'cesses'. The fall in the rupee only helps

in his being deprived of his just prices. You might as well give him sixteen eight-anna pieces for, say, five maunds of rice, and call the coins rupees. That it just what is allowed to take place under the glamour of theories promoted and propounded by self-interest.

The native Indian employees above the rank of mere clerks, whether in the service of Government or private individuals and firms, with fixed salaries, which have not, in the majority of cases, altered for the last twenty years, are equally sufferers. The income of the bulk of them varies from Rs. 50 to Rs. 100 a month. Had the rupee retained its original value this would represent £5 to £20 a month; at present these figures barely represent £3 and £12 respectively. Only few get more than Rs. 200 a month. When it is considered that the household of a fairly well-to-do inhabitant of India consists of a number of poor relatives and dependants; that the cost of living, schooling, clothing, &c., has increased all round, there will be no difficulty in understanding how the struggle for existence is becoming harder for even this class of people. The education of boys is becoming dearer every day, resulting from a variety of causes too numerous to detail; many youths, chiefly from amongst the sons of Government officials, are sent to England to acquire that training, discipline, and culture which are conspicuous by their absence from the educational institutions of this country. Can it be said with any approach to truth that the fall in the gold value of the rupee does not affect these people with fixed salaries and a number of mouths to feed, children to educate, and some position to maintain in their society?

The native trader, the native banker, the native merchant (if their own statements, repeatedly made, are to be relied on), are half-ruined. Trade is disorganised, and business transactions generally in a most unsatisfactory condition. Nobody can say with certainty what the morrow may bring forth; nobody can properly forecast his gain or his loss; nobody can safely engage in any enterprise with any reasonable assurance of a fair outturn.

I have thus far endeavoured to show, albeit imperfectly, how the fall in the gold value of the rupee affects the people of India. How it affects the Government, the official and professional classes of Europeans, and those Indians who, from choice or necessity,

desire to give their children a European education, are matters beyond controversy. The position of the Government may be described in one sentence : it is on the verge of varitable bankruptcy. Its vaunted surpluses have turned into deficits, ever growing. All new productive work practically stopped, expenditure reduced to what is absolutely needful, the mournful admission of helplessness implied in the quiet appropriation of the Famine Insurance Fund, furnish a clear and unmistakable indication of what is impending unless the Government awakens from its lethargic condition and abandons the *laissez-faire* course which has marked its policy throughout in dealing with the currency question.

The Indian Government has, from the necessities of the situation, to meet large sterling liabilities in England by payments in the coin in which it realises its revenue. So long as India is a dependency of the British Crown she has to remit to England each year a certain number of pounds sterling in discharge of her liabilities. The question whether this burden is right or proper is not relevant to the present issue. Not even the wildest Home-ruler would suggest that cutting India adrift from England, even if it were possible, would be for the benefit of this country. Now, as the revenue is collected in rupees, it is evident that in making the payment in sterling her loss or gain would be determined by the gold value of the silver coin. This is so obvious that it is unnecessary to dwell further on the subject. In 1843 the exchange was 2s.0¼d. ; in 1853, 2s.1¼d. ; in 1863, 2s.0⅜d, ; in 1872, as already mentioned, it was 1s.11¼d. ; at the close of 1892, 1s.2⅜½d. In the course of twenty years, from 1872 to 1891, as pointed out by a competent authority, the Indian Government has lost fully sixty-seven millions sterling over its remittances to England. This enormous sum, which might have been profitably spent in developing the resources of the country, in making railways, roads, canals, and opening up tracts still inaccesible to the outer world, in effecting reforms or reducing taxation, in providing means to prevent or to minimise famines, in constructing defensive fortifications on a threatened frontier, might, so far as any benefit to India is concerned, or for the matter of that to anybody else, have just as well been thrown into the sea.

As regards the threatening deficit, the local *Englishman*, in its

issue of the 7th January, had an interesting and instructive article, from which I venture to quote one or two passages to enforce my own remarks. After giving a table showing the surpluses and deficits each year from 1879 to 1890, it proceeds thus:

'The surplus estimated for 1892-93 has, as the public is aware, been turned into a deficit of Rx.1,600, 000.[2] The net result of fourteen years of Indian finance is, therefore, a surplus in seven years of the period amounting to Rx. 11,192,000, and a deficit in seven other years amounting to Rx. 12,124,000, the deficit thus exceeding the surplus by Rx. 932,000, or, say, one crore.'

Then, after referring to the circumstances which led to the reimposition of the taxes that had been reduced by Sir Evelyn Baring to the imposition of new taxes, and to the various economies effected to make the two ends meet, the article in question runs thus:

'We find, then, that after the recovery of the finances from the effects of the war with Afghanistan we had down to 1884 a period of prosperity, which has been followed since then by a time of stress and strain. The period of prosperity was coincident with a relative steadiness in the exchanges. From 1878-79 to 1884-85 the average annual rate of exchange varied between 19.96d. and 19.308d., the decline in seven years being under 3½ per cent. Beginning with 1885, the rupee tumbled headlong down the abyss, and with its downward progress we have had a period of increasing financial pressure, in which it has been necessary to impose heavy additional taxation, to deprive the local Governments of the means for carrying out material improvements, to restrict the progress of railway construction, to starve the administration generally, to suspend the Famine Insurance Grant, and to hunt unsuccessfully in every hole and corner for cheeseparings in the way of savings. It is not, however, a mere coincidence that the period of prosperity went with the steadiness of the rupee. We have given above the statement of the Ministers responsible for the finances, that the coincidence was more than a coincidence—that it was cause and effect.'

In the course of fourteen years, whilst taxation has increased by four corres annually, the public debt has increased by twenty. A huge deficit for the present financial year is inevitable, and another, probably much larger, for the ensuing year is equally certain. How is this to be met? There is no margin for further

2. The figures represent tens of rupees.

taxation; practically the produce broker and exporter, the real gainers by the present state of things, the zemindars, who possibly have profited a little in consequence of increased rental from the ryots, are beyond the range of taxation. Any addition to the income-tax will be received with grave dissatisfaction. Is the country to be allowed to go to ruin, the people to starve, the official classes driven to the verge of insolvency, to satisfy theories or to fill the pockets of a small class of people?

The Viceroy, in his reply to the address of the planters of Coorg, made a statement, which, I submit, ought to form the keynote of the financial policy of Government. His Excellency observed:

> 'No fortuitous advantage which any particular trade may for a time derive under a falling exchange can be allowed to weigh against the general injury and loss resulting to the trade of the Indian empire as a whole from fluctuations and uncertainty in the rate of exchange. . . . It will, perhaps, be sufficient if I say that, as the Indian empire does most of its commercial business with countries in which a gold standard obtains, it appears to me that it would be for the general advantage that India should be provided with a currency of which the gold value would no longer be subject to the fluctuations which have for some years past unsettled our commercial system and discouraged the investment of capital in this country.'[3]

The wonder is that, in spite of the unhesitating terms in which the enunciation was made, no action has yet been taken to carry it into effect. As regards the official classes of Europeans, it is indisputable that they have suffered severely by the loss on exchange. They are paid in a depreciated coinage, whilst almost everything they have to pay for, either directly or indirectly, is paid for in gold. Stores, wines, clothing, the schooling of their children, and the cost of living for their families at home, has all to be disbursed in sterling. The loss affects every grade and every class—the man who has a salary of fifteen hundred rupees a month, and the small sergeant of police who gets barely a hundred.

The extent of the hardship entailed upon the official classes can be gauged from the fact that many men holding offices hitherto considered as well paid have been compelled to withdraw their

3. *The Pioneer*, 15 November 1892.

children from school, bring out their daughters to India, and send the sons to the Continent for that education which the falling rupee will not allow them to obtain in England. In a country like India, where influence depends a great deal on prestige, it is idle to expect [that] an ill-paid official, Indian or European, can either command or maintain his position, and it will be the fault of Government if its poorly-paid servants get entangled in straits which in most civilised countries are regarded as detrimental to the public interests.

The professional classes are in exactly the same predicament; the fee of the doctor or of the lawyer, paid in rupees, has not increased. As in the case of service holders, though their earnings have lessened in value the expenses have increased in an inverse ratio. In neither case is there any compensation. The small trader who imports his goods from Europe has to pay for them in gold, and in order to compensate himself has to raise his own prices proportionately in silver, at the risk of losing customers whose diminishing incomes furnish little inducement for much outlay. The merchant and the banker appear to be little better off. One can now understand the angry discontent which pervades the official classes of Europeans, high or low. To suggest that the proper remedy for this evil is for the English to make a permanent home in the plains is to ignore the lessons derivable from the past. The fate of Mahommedan conquerors of India ought to be a warning to those who discourage occasional home visits to Europe

It is almost unnecessary to repeat the fact that a few years' existence without change of climate or scene robs English women of their vitality and reduces them almost into the condition of permanent invalids. Visits to Europe, or, as a *dernier ressort*, to the hills, are matters of life and death to them. Children of European parentage do not thrive in the hills beyond a certain age, and even if they did, education in the proper sense of the term, with the same discipline and training as in Europe, is not to be had. The hill schools under European management are mere makeshifts, to be resorted to only in dire straits. The necessity of a European training has forced itself even into the minds of a large number of Indians, who, although themselves without English education, appreciate the benefits that accrue therefrom

The Manchester Chamber of Commerce recently gave expression to a somewhat strange sentiment, viz. that any attempt to introduce a gold standard or to improve the currency of India would involve a serious political danger. The weight of this opinion may be fairly discounted. Speaking with some sense of responsibility and with some acquaintance with the condition of the people, in my opinion it would be a serious political blunder to let the rupee stand at its present low value, or to allow it to sink lower. 'The rupee and not the Congress will drive the British out of India,' was a remark once made to me by a member of the National Congress. The idea is by no means chimerical. If the present state of things is allowed to continue much longer, there can be little doubt that sooner or later the number of Europeans in the civil and military employ of Government will be considerably reduced. Few Englishmen will care to take up almost a lifelong service in India upon the pittance into which the fairly good salaries of former days have turned, nor would parents be willing to invest money in the training of their sons for the Indian service. Under the apprehended circumstances, the unwillingness of Europeans to come out to India, or of Indians trained in Europe to take service under Government, will promote the employment of men trained in the country, but whether that will be for the advantage of the State is a matter for question.

To my mind, it would be an evil day for India when, from a permanent reduction in the emoluments of officers in the civil and military employ of Government, the agency which has been the making of India is either withdrawn or its efficiency impaired.

Another disastrous effect of the fall in the rupee, which is likely to be far-reaching and permanent in its character, is that it stops all influx of capital from outside. Capitalists in good countries will not invest in securities in silver countries, because they have no confidence in the value of silver in relation to gold, and consequently, while money flows freely to foreign gold countries, it is denied to the British dependency of India. A currency which fluctuates from day to day, and the value of which depends upon the smartness of foreign speculators, hardly leaves room for any safe calculation. The result of this is that many of the projects for the development of the resources of the country have either to be

abandoned or to be postponed until better times.

My object is not to suggest any theory for the solution of a difficulty which may certainly be regarded as the life-problem of India, and the gravity of which is recognised by all classes of people. My sole aim is to dispel the illusion that the fall in the rupee affects only the official classes and benefits the country at large. If Holland could devise means for the protection of its colonies from a ruin such as is threatening India, surely it is possible for the talented men at the helm here and in England to find a remedy for the evil. Had the Brussels Conference resulted in an agreement for universal bimetallism our problem would have been solved and our difficulties would have disappeared; but it is evident that there is no prospect of the dual standard being adopted by England for many years to come; the only remedy for India is to change her standard of value from silver to gold, closing her mints to the free coinage of silver, and retaining the silver currency as token-coinage, fixing the rupee at, say, ls.6d.

The change can be made without any of the risks of economic loss or political danger predicted by the Manchester bimetallists, and should be carried out without further delay. I venture to predict that if India's standard of value is brought into line with the standard in England, the country's progress and prosperity during the next twenty years will be such as has never before been recorded in the annals of Indian history.

7

ISLAM AND ITS CRITICS

[*The Nineteenth Century*, September 1895, pp. 361-480]

There seems at this moment to be a wave of anti-Moselm feeling passing over certain sections of the English people. The language in which Islam and the Moslems are denounced from public platforms and in public journals carries us back in its vehemence and violence to the days of Peter the Hermit. The notable speech at Chester represented only one phase of this deplorable feeling.

Mr. Gladstone's object, as he has since explained, was to press upon Turkey municipal reforms, though at the time no one could help perceiving a strong undercurrent of religious bias The wicked and immoral attempts of inferior men to stir up religious animosities and slumbering prejudices and passions are couched, however, in unmistakable and unambiguous language. In this category must be placed the article on Islam in the *Quarterly Review* for July. In the guise of a critique on my work, *The Spirit of Islam*, and in the shelter of anonymity it is a venomous attack on Mohammed and his religion, and a malignant onslaught on a sovereign and a nation with whom Great Britain has been and still is, ostensibly at least, on terms of the closest amity.

Naturally, the article in question has created a feeling of intense bitterness among the Moslems resident in England, and is likely to do so in a greater degree in India, the Straits Settlements, the Cape Colonies, and, in fact, wherever Moslems speak and study the English language.

It is a matter for surprise and unqualified regret that such a production, leading to such mischievous consequences, should

have been harboured in a journal of the position and standing of the *Quarterly*. Every well-wisher of the Empire must deplore that, while the Sovereign is endeavouring by every constitutional means to win the attachment and conciliate the affection of the divers races and nationalities over whom she rules, there are some among her subjects who are trying to sow all around the bitter seeds of religious animosities, although their age and their calling, if not their learning, might teach them better.

At this moment we have in our midst the son of a Moslem ruler whose friendship we are trying to retain and strengthen, a ruler well known to be a staunch follower of the Arabian Prophet. What must be the feelings of this Prince if, in spite of the hedge which surrounds him, he comes to have some knowledge of this gratuitous and malevolent attack on his faith? In spite of all this, I would have hardly considered it worth while undertaking a reply but for the fact that throughout the article there is a repeated challenge to me to say if the accusations are not true. To observe silence under such circumstances would imply an admission of the charges.

Assuming for a moment that there was any substance in the statements made by the writer, would it not have been better wisdom and truer humanity not to insult the religious convictions of millions of human beings to whom these convictions are the dearest possessions of their hearts? The article could hardly have been intended for the conversion of Mohammedans; for are not Moslems believed to be beyond the pale of salvation? Nor can it have been intended to induce reforms among the Moslem States: for reform comes from within and not from without. Coercion only breeds opposition. Nations cannot be reformed by outside pressure, unless it is applied in the mode and with the effectiveness of Torquemada's Inquisition, with the stake and the fagot. What, then, was the object of this writer? It is written plainly enough for him who runs to read: to depict Islam and the Moslems in such colours as would put them beyond the pale of civilised humanity; place Moslem States outside the *jus gentium* as now recognised; incite the feelings of the uneducated and ignorant masses against a friendly Power. Whether such an object is commendable I leave it to the good sense and good feeling of

others of the same school to judge. That it is disapproved of and reprehended by the bulk of the educated and thinking people in England I have no doubt. Luckily, the helm of State is just now held by hands not lightly to be swayed by the blast of fanatical enthusiasts, nor are the nations of Europe in a likely mood to shout another *Deus vult*, and hurl themselves again with fire and sword upon Asia.

It is perfectly true that Mohammedan countries are in a more or less backward state; that they have not advanced in material civilisation at the same rate as the European countries. The cause of this I will explain presently. Whether reforms are possible in Moslem States is a question which has been long ago answered by a learned Moslem, now dead, who held a distinguished place in the service of the Nizam.

Writing in the country, away from all works of reference, and, of necessity, restricted as to space, it is hardly possible for me to answer *seriatim* the charges, some puerile, others disingenuous, and most of them unfounded that the writer has brought forward against Islam and Islamists. Nor is it possible within the time which has been allotted to me to expose in detail the erroneous data and the illogical reasoning on which he proceeds. I shall try, however, to deal briefly with the salient features of his apology for Christianity and the attack on Islam.

He gives at the head of his article the names of some books as his authorities, and refers to others in the body of it. Neither Prescott nor Lewes, however great in their own departments, can be accused of a knowledge of Arabian history, Arabian literature or philosophy. Dozy's name, in spite of the fact that he was not free from bias, must always command a certain amount of respect; but the passages quoted from his work, separated from their context, carry no weight. Speaking from memory, all of these require qualification, for each has a special reference to special circumstances. The same remarks apply to the quotations from Johnson. They are either misplaced or misquoted or wrongly applied. As regards the others upon whom he relies in support of his thesis, it would be a stretch of imagination to call them authorities. To Abdul Latif and Ibn Khaldun I shall refer later on. We find also the *Hedaya* among the books consulted; evidently the English

translation of a Persian paraphrase of a treatise written in the twelfth century in Central Asia. The reviewer is not aware that since that date the development in Mussulman (Sunni) law has been as great as that evidenced by the enunciations of judges like Eldon, Mansfield, Kingsdown, or Knight Bruce as compared with Littleton and Coke. Naturally he cannot be acquainted with the *Radd-ul-Muhtar* of Mohammed Amin of Damascus. or the *Majma-ul-Anhar* of the Shaikhzada; the liberal interpretation of the Moslem civil law (of the Sunni school) in these works will compare favourably with the provisions even of the English law up to very recent times.

The writer of the article in question speaks of Christianity in these glowing terms :

'But the plain truth is that progress—material, moral, and intellectual—is everywhere coterminous with Christianity. An unbridged gulf divides Christendom from the rest of the habitable globe. On the one side we see security for life, religion, property, honour; woman held in respect and treated on terms of social equality with man; slavery placed under the ban of law and custom; war denounced as a crime when not waged in self-defence or in redressing some wrong otherwise irremediable, while its conduct has been placed by the moral sense of Christendom under regulations which no Christian Government would dare violate. In short, within the frontiers of Christendom we see the law of progress in action – an upward movement of mankind, on the whole, towards a higher level of human excellence.'

He admits there may be 'stagnant water here and there'—only here and there, 'like still pools diverted from the parent stream'. He holds it not to the purpose to point to periods in the history of Christianity where in particular localities—mark the words, 'particular localities'—barbarism and cruelty and corruption prevailed.

To a writer who can speak thus of the religion which he professes, forgetting entirely the records of the past, everything is possible. I shall examine how far the claim is valid. He speaks of Christianity as having implanted principles. I will give his exact words, so that I may not do him an injustice, however unconsciously. He says :

'Christianity differs from all other religions in this, that it planted fruitful and enduring principles in the heart of humanity,

instead of presenting a code of universal rules; and these principles, in proportion as they have had a fair field, have erected on the ruins of ancient politics a fairer civilisation than pagan poet or philosopher ever dreamt of.'

The saving qualification 'in proportion as they have had a fair field' is very characteristic of this writer.

How far principles alone influence or affect the conduct of men, cultured or uncultured, is sufficiently testified to by what has occurred and is occurring every day among lower races; by the decimation of the South Sea Islanders, owing to causes which it is needless to specify; of the African races under the influence of gin introduced by Christians, not to refer to incidents nearer home. Principles alone may answer in the case of the highest minds, but experience and common sense prove that lower natures require something more, and in their case, where their religion only deals in principles, the secular law comes in with its rules, and supplies the defect. Moreover, it is untrue to say that the principles to which he refers are the exclusive product or property of Christianity or Christians. To say nothing of virtuous and true-hearted Moslems and Jews, even Pagans, like Marcus Aurelius, Alexander Severus, Julian miscalled the Apostate, Celsus, owed nothing to Christianity. It is equally misleading to say that Christianity only has endeavoured to implant 'principles.' 'instead of presenting a code of universal rules'. From the second century until recent times there has been a constant endeavour on the part of the Christian Church to formalise dogmas, to frame rules of conduct, to dominate over the consciences of mankind, not by principles but by rules and articles. Principles are the product of evolution, of natural development, and not of any creed.

This anonymous critic of Islam says: 'The plain truth is that the Islam which Syed Ameer Ali has taken so much pains to expound is quite unknown to history, and the spirit which breathes through his book is the spirit of Christianity, not of Islam.' If the writer is correct that the spirit which breathes through my book is the spirit of Christianity, then I can only say that the highest Christianity is in no wise different from the highest Islam. The teachings of Mohammed, the sermons of Ali and of the Prophet's daughter Fatima, the sayings and precepts of the apostles of his

house, the writings of philosophers like Avicenna, of men like Ibn Abi Daud the Mutazalite and the Sheikh-ut-Tibrisi form the foundation of my work. All these are sealed books to our critic. The 'spirit' which breathes in my book is the spirit which I have endeavoured to catch from these masters.

He says that 'the boon' of monogamy I owe to Christianity. He does not know, or has forgotten, that the Mutazalite doctors in the reign of Al-Mamun advocated and upheld monogamy at a time when practical polygamy was rife in Christendom, and that there are hundreds and thousands of Moslems in the present day who entertain the same feelings and views as myself.

The fact that Mecca is not the centre of Moslem civilisation is made a subject of comment! As well might one say that the village of Nazareth, if it exists, or Jerusalem, where only the presence of the Turk prevents contending Christians from tearing each other to pieces, is not the centre of Christian civilisation— or, for the matter of that, Rome.

I now come back for a moment to the general thesis that Christianity means progress; that it represents peace and security to life, religion, and property and honour; ensures respect and equality to women, places salvery under a ban and denounces war. History disproves all these allegations. History equally disproves the accusations levelled against Islam, as I shall now proceed to show.

On the one side, this critic confounds 'Christianity' with the natural progress which centuries of practically uninterrupted development have worked in human thought in the direction of law and order, literature and science: on the other, he confuses the influence of religion with racial characteristics and tendencies, he attributes the misdeeds of nations and individuals to the faith they professed. If religions are to be judged by the conduct of their professors, the answer would be unanswerable. For on that ground no religion, not even Brahmanism, has so much to answer for as Christianity. From the moment Christianity became the dominant religion it has never ceased to persecute. From the days of Constantine until the present hour there is one long continuous record of inhumanity, cruelty, and injustice committed in the name of religion. Would it be fair or just to ascribe these dark and

revolting deeds to the teachings of Jesus or the philosophy which is now professed by so many of the cultured in Europe, and is designated, for want of a better expression, Christianity? I have no desire to tread in the footsteps of my critic. I have not the slightest intention to offend the susceptibilities or wound the religious feelings of any class of people. When I speak of Christianity, I do not mean the simple precepts of the Founder, which are common to all moral creeds, or the philosophy to which I have referred; I speak of the system which embodied for ages the moral sense of Christendom, and still forms the religion of many—which consecrated persecution and war, and perpetuated slavery and the bondage of women. Christianity, like Islam, is a varying factor; both assume varied types and standards with varying individuals; and not only with individuals, but with nations, times, as well as climates. To think that any religion retains a uniform standard is the fault of superficial observers. But no candid student will deny that the Christianity of many saints and divines who have been canonised, or whose names are still held sacred in Christendom, was directly responsible for the crimes which sully the pages of Christian history, crimes committed not in 'particular localities,' but wherever the name of Christ was invoked, or his image or that of his mother worshipped. 'Look not at the mote in your brother's eye, look at the beam in your own,' is often forgotten in the excess of religious zeal.

'From the very moment,' says Lecky, 'the Church obtained civil power under Constantine, the general principle of coercion was admitted and acted on both against the Jews and the heretics and Pagans. They were tortured with every refinement of cruelty, they were burnt at a slow consuming fire to enable them to think of the charity and humanity of the Church of Christ. Father after Father wrote of the holiness of persecution. Would it be just to say that because Jesus said 'Compel them to come in,' He was responsible for the misdeeds of Christians, though the atrocious doctrines relating to persecution were founded thereon? How far its crimes against humanity were at any time confined to 'particular localities' will sufficiently appear from a review of the condition of the various places of importance in Christendom.

In Constantinople even under a sovereign like Justinian,

public or private virtue had no recognition in the social conceptions. Seditious outbreaks and sanguinary tumults, in which the servants of the Church always took a most prominent part, were the order of the day.

On these occasions every law, human or divine, was trampled under foot; churches and altars were polluted by atrocious murders, no place was safe from depredations. children were torn from the arms of their parents and subjected to revolting outrages in broad daylight.[1]

In Jerusalem, which ought to have been hallowed ground, the Christians pillaged, burnt, and murdered in the name of an Incarnate Deity, and defiled the sepulchre of Christ with blood.

What occurred in Alexandria is best described by Draper. Northern Africa and Spain was one vast scene of persecution, strife, and bloodshed. Even Dozy gives us some idea of the sufferings of the Jews under Christian domination. Milman's account of the Christianity of the first eight or nine centuries, though given with the lightest touch, does not justify the glorification habitual with partisans.

'When the Khalif Omar,' says Draper (the Khalif Omar whom the *Quarterly* reviewer holds up to obloquy as the destroyer of libraries), 'took Jerusalem A.D. 637 he rode into the city by the side of the Patriarch Sophronius, conversing with him on its antiquities. At the hour of prayer he declined to perform his devotions in the Church of the Resurrection, in which he chanced to be. but prayed on the steps of the Church of Constantine--"For," he said to the Patriarch, "had I done so the Mussulmans in a future age might have infringed the treaty under colour of imitating my example." In the capture by the Crusaders, the brains of young children were dashed out against the walls. infants were pitched over battlements, men were roasted on fires, some were ripped up to see if they had swallowed gold. the Jews were driven into their Synagogue and there burnt; a massacre of nearly 70.000 persons took place; and the Pope's legate was seen partaking in the triumph '

When Saladin recaptured the city, he released all Christians,

1. Gibbon, *Decline and Fall*, 1838 ed., vi., 82.

gave them money and food, and allowed them to depart with a safe-conduct. But he was only a Moslem !

It would be a wearisome task to refer in detail to facts which must be familiar to all students of history. The slaughters of the Arians and the Paulicians, of the Albigenses and the Huguenots, of the Moslems and the Jews; the sacks of Magdeburg and of Rome, the horrors of the Thirty Years' War, are too well known to require being retold. We also know how when Protestantism became a power, it used the forces at its command for persecuting its opponents. The massacres by Elizabeth's soldiers and Cromwell's Puritans are written in indelible characters. And can anything be more revolting, more horrible or heartrending than the slaughter of the unoffending Aztec and Peruvian races of America in the name of Christ?

The old Moslem lawyers had divided the world into two regions—the *Dar-ul-Harb* and the *Dar-ul-Islam*, the counterpart of heathendom and Christendom. The reviewer sees nothing objectionable in the distinction made by Christianity, but he is wroth with that made by Moslem legists. The Christian divines, however, proceeded on larger lines. In the fifteenth century his Holiness the Pope granted a special charter, by which the non-Christian world was allotted to the Portuguese and Spaniards in equal shares, and they were allowed to convert all non-Christians and heretics found there in any way they chose! And history records how liberally they construed the power. In the seventeenth century the humanity of Christendom had progressed so much that Grotius, the founder of international law in Europe, formally excepted the Moslems from the enjoyment of the *jus gentium*. Thus, according to juridical as well as canonical law, they were excluded from the comity of nations, and war against them was *sanctified* by the Church.

Let us now see how Islam professed to deal with non-Moslems. By the charter granted to the monks of St. Catherine near Mount Sinai and to all Christians, Mohammed undertook himself, and enjoined upon his followers, to protect the Christians, to defend their churches, the residences of their priests, and to guard them from all injuries. They were not to be unfairly taxed; no bishop was to be driven out of his bishopric, no Christian was to be

forced to reject his religion, no monk to be expelled from his monastery, no pilgrim to be detained from his pilgrimage, nor were the Christian churches to be pulled down for the sake of building mosques or houses for the Moslems. A nominal tribute was the only compensation they were required to pay for the observance and enjoyment of their faith. Could so much be said of other creeds? Under Christianity even the payment of tribute did not protect the non-Christian subject from molestation. The passage in the Koran, 'Let there be no compulsion in religion,' testifies to the principle of toleration and charity inculcated by Islam. 'What, wilt thou force men to believe, when belief can only come from God?'

A more candid examination of facts than has hitherto been habitual would show which creed has most to answer for in the application of the sword and the stake in the process of the salvation of souls, or the professors of which creed were the most guilty of fraud and force in extending the dominion of their respective faiths.

The causes which led to the Moslems becoming involved in war with neighbouring tribes and nations have been fully discussed by me in my writings, and nothing the reviewer has said has detracted, in my opinion, from the force of my observations. I would only add, that after the conquest of Ctesiphon the Caliph Omar promulgated a peremptory command that under no circumstances should the Moslems cross the Tigris towards the East, and that that river should ever form the boundary between the Persian and the Saracenic empires. Upon this basis a peace was concluded. The successive breaches of faith by the Persians, which, like the British advance in India, compelled the Saracens to move from the Tigris to the Elburz, and from the Elburz to Transoxiana, may be studied even in the pages of Muir, by no means a friendly historian.

I do not for a moment wish to say that the later Moslems were never actuated with the spirit of cupidity, or that none of their wars were cruel or persecuting. But their persecutions have been chiefly internecine, and have owed their origin to dynastic reasons. The wars of the early Moslems were either defensive, as under Mohammed, or to exact reparation or to prevent predatory

raids or hostile invasions. The *Quarterly* reviewer, like many others of the same school, gloats over the deplorable Bani-Koraizha incident, and makes it the subject of a violent diatribe against Mohammed. The real circumstances connected with this matter must be told once more in order to refute the attack.

A treacherous tribe, united to the Moslems by the most sacred compact, in the hour of Islam's greatest agony prove traitors, and very nearly bring about the massacre of the Moslems. They are condemned to the usual punishment of the times by an arbiter selected by themselves. The order is allowed to take its course. Let us judge the feelings of those men who very nearly proved the victims of the treacherous conduct of the Bani-Koraizha by the feelings which actuated most Christians in the dark days of the Indian Mutiny, not only against the rebels who had foully and brutally murdered women and childern, but all who were supposed to have risen against constituted authority.

The assertion that 'security for life, religion, property, honor' is due to Christianity provokes a smile. Security for religion forsooth! The fires of Smithfield, and the drastic methods adopted by the different sections of Protestants towards each other and towards the Roman Catholics to induce conformity are not such old histories as to escape our memory. From the dissolution of the Roman Empire until well nigh the close of the sixteenth century, when Christianity was most dominant over the conscience and conduct of its professors, the condition of the people was most deplorable. Rights they had none; there was no security of either life or property, much less of honour. One has only to read a school history of the time to discover how utterly unfounded is the claim here advanced for Christianity. It is enough to recall one incident of a *freeman's* life in those days. When his daughter married she had first to submit to an infamous outrage—and rarely indeed would the Christian lord of the manor waive the atrocious privilege of barbarism.

Nor is the high position assigned to women in some countries in modern times due to Christianity. In the early ages, the Church of Christ placed the sex under a ban. They were excluded from society; they were prohibited from appearing in public or going to feasts and banquets; they were condemned to life-long house-

hold drudgery. And this state of things, as I had occasion to point out in an article in the September number of this Review for 1891, continued for centuries. The gloomy interval which elapsed between the overthrow of the Western Empire and the rise, under the influence of culture and free thought, of modern society, has been well described by Massey as an age of 'rapine, falsehood, tyranny, lust and violence'. Respect for women showed itself in women-lifting, which was an everyday occurrence.

As for morality, the less said the better. The history of every country tells the same tale—that foulness and impurity were the chief characteristics of the times. The *Registrum Visitationum* of Archbishop Rigaud, not to mention other works dealing with countries nearer home, throws a lurid light upon the morals and manners of Christendom; and the picture of bestial depravity drawn by Cardinal Peter Damiani, a friend of Pope Gregory VII, surpasses anything painted by Athenaeous or Petronius.

Even down to fifty or sixty years ago neither life nor honour nor property was safe in Christian London or Paris: Young Mohawks paraded the streets after dark, and amused themselves by slitting open the noses or cutting off the ears of inoffensive citizens; no woman was safe from molestation. And what is the case even now in Spain, in Greece, in Sicily, in delectable Bulgaria?—I will not multiply insatnces. The daily papers witness to the fact that Christianity is not a safeguard against the passions or vices of the lower natures.

Let it not be supposed for a moment that I ignore the fact that there have always been good and pure and pious men and women in Christendom, even in the Dark Ages. It would be as unjust and wilfully dishonest to do so as it is on the part of our critics to ignore the existence of such men and women in Islam.

When confronted with the undeniable facts to which I have briefly referred here, and writhing under the lash of truth, the crittcs of Islam descend to the usual argument common with a certain class of controversialists—the *argumentum ad hominem*, and make a comparison between Jesus and Mohammed.

An Islamist reveres both Jesus and Mohammed—unlike the Christian, who adores the one and reviles the other. *He*, therefore, in judging of their lives and their works does not forget their re-

spective surroundings, and the times and influences under which they existed. In considering the ideas of Mohammed and Jesus about matrimony, we must not forget that the one was born in the midst of a people among whom ploygamy was a part of their social organisation, whilst the other was intimately connected with the ascetic Essenes and the Baptist. This asceticism produced consequences which Milman describes and deplores in vivid language. Centuries later the same tendencies led to the appearance in Western Asia of 'holy men,' who had cut off all human relations and regarded themselves either as 'The Truth,' or as a part of the Divinity. Some of them were even credited with the power of raising the dead to life.

As regards the accusation of licentiousness levelled against the Prophet of Islam, the idea must strike every honest, unprejudiced student of history. if such a charge had the least truth in it, would it be likely that true, pious, and pure-minded men like Abu Bakr, Ali, Omar, Hamza, Zaid, and a host of others, gifted withal with intellectual capacity and keen insight into human character—men far above the level of the fishermen of Galilee—would have given their life's devotion to him who was their master? The man who spent his nights in worship and prayer, and his days in the transaction of public business, in listening to the poor and suffering, in helping the afflicted, and in redressing the wronged, is accused of licentiousness!

Polygamy, or, properly speaking, polygyny, has existed among all the nations of the world. Christianity in no way interfered, or purported to interfere, with the custom. The first attempt to check or regulate it was made by two pagan emperors, Honorius and Arcadius, but without any avail. Constantine and his son both had several wives, and Valentinian II formally allowed all his subjects the privilege which he himself exercised. Nor did the moral sense of Christendom perceive wrong in it until very recent times, for St. Augustine, as well as the German Reformers, admitted the validity of several contemporaneous marriages under certain circumstances. Culture and progress, and that higher ideal which is the characteristic of nobler and purer natures, alone have condemned its practice. In the seventh century, when every nation recognised the plurality of wives to an

unlimited extent, Mohammed restrained it by limiting the maximum number of contemporaneous marriages; and, by making absolute equity towards all the wives obligatory on the man, practically prohibited it. For himself, instead of assuming a privilege, he imposed a burden.

The extent to which concubinage prevailed in Christendom would appear from the pages of Du Cange, Archbishop Rigaud, and the memoirs and histories of which there is an abundance. The following passage in the Koran contains the regulation as to alliances between freemen and slave girls, which is called 'concubinage in Islam': 'Whoso among you hath not the means to marry a free believing woman, then let him marry such of your maidservants whom your hands possess and who are believers. This is allowed unto him among you who is afraid of committing sin; but if ye abstain from allying yourself with slaves, it will be better for you.'

The evil to which the critics of Islam refer is an excrescence, a fungous growth, for which there is not the least warrant in the teachings of Islam.

In considering the reviewer's charge of immorality among some Moslem communities, analogous conditions of life in Christendom must not be ignored. Nineteen centuries of spiritual ministration, with all the assistance of established Churches, with the entire power of the most powerful theocratic organisations the world has ever known, have failed to kill the terrible moral cancer which first found its origin in Greece, thence spread to Rome, and has never ceased to exist since then in Christian countries.[2] Prostitution flourishes, not wholly unrecognised by the State, and the foul sights which disgust and oftentimes horrify strangers are common in all the centres of civilisation. According to a well-known writer, the grossest and most unspeakable offences against public decency and morality committed daily under the shadow of the churches in the most orthodox country in Europe.

2. It may be said that crimes of this kind are not unknown in Moslem communities, but the horror they inspire is testified to by the penalty of death. The law by its severity may defeat its own purpose, but it serves to indicate that the moral sense of the communities regards the crimes as capital.

Moslems are well entitled to congratulate themselves that, whatever other sins they may be guilty of, prostitution, with its degradation of women and demoralisation of men, is unknown in Moslem countries uncontaminated by other civilisations, old or new. They may well point with pride to the absence from among them of wife-beating, child-murder, and bestial drunkenness with all the evils flowing from it.

Among those Moslems who indulge in concubinage against the precepts of their master, its practice possesses at least this feature of humanity, that the children born of such connections are not outcasts. Whether this is or is not more humane than the other custom I leave to religious casuists to answer.

The writer speaks of the licentiousness of the harem. Those who know anything of the real harem life consider it the most humdrum, commonplace, somewhat severe sort of existence. As a matter of fact, life in an ordinary Moslem household (harem) does not differ from life in an ordinary Christian household. Harems such as the critic imagines exist in Moslem counrties, as they have existed tn Christendom. It is unnecessary to particularise the harems of the Valots, the Bourbons, and of the Merry Monarch of England, or of the First Gentleman of Europe—to say more would be invidious. When people talk so lightly about polygamy I cannot help asking: has every Turk more than one wife, and has every Englishman only one? Are minor establishments unknown in London and New York?

Charitableness—charity is an old-fashioned word—is a varying virtue. The Moslem is accused of being wholly devoid of it, and that without any euphemism; he is said to be fanatical, bigoted, and exclusive owing to his religion. How far such a charge is true or just or honest a reference to the precepts and teachings of the master and the apostles will show.[3] But when a particular virtue is claimed as the peculiar monopoly of a particular religion one would expect it to an eminent degree among its ministers. Concrete examples always point a moral better than general arguments. A dignitary of the Church of Christ once told me that he would far sooner meet a heathen than a Moslem; to

3. I have given some of these in my *Ethics of Islam*.

the amused query 'Why?' the answer was, 'Because there was some hope for the former, but none for the later.' The wife of a clergyman, at the head of a charitable institution for training nurses, refused to send a nurse for a child on the ground that it was not baptised. The baptismal dogma is the best index to the charity of the Church of Christ. The orthodox Moslem believes that all children are born in Islam, and that they are perverted by education, so that if they die before they formally adopt any religion they go to heaven. The orthodox Christian believes that all children are born in original sin, and that if a child dies before it is baptised it is doomed to eternal perdition—the fate charitably assigned to heathens, Moslems, and Jews.

The alleged exclusiveness of Moslems is ascribed to their idea of the attributes of God. The God of Islam is represented, on the authority of casual wanderers and travellers, 'a pantheism of force,' a 'tyrant,' etc., etc. Each man depicts to himself his God according to his own temperament and culture. Probably a philosopher would not find much difference between the conception of God entertained by an average Christian, apart from the dogma of the Sonship of Christ, and that entertained by an average Islamist. Both probably would attribute to him the same qualities which are to their minds the highest virtues in mankind. But to form an idea of the conception of God in Islam from the statements of camel-drivers and travellers' guides is just as correct as to derive an idea of the God of Christianity from the pregnant thoughts of an English coster. If the honest critic seeks to understand the true conception of God in Islam, he ought to look for it in the pages of the *Sahifa-i-Kamila*, the *Kalam-ul-Ameer*, the *Nahj-ul-Balaghat* not to speak of the master's teachings.

When speaking of slavery, common fairness requires that the difference between slavery in Islam and slavery in Christianity should be pointed out in explicit terms, and the commandments of the Prophet, which practically destroyed human chattelhood, explained. Slavery had existed among all the nations of antiquity; Christianity not only failed to root out the evil but perpetuated it, declared it to be a constitution of nature. Slavery was a recognised institution in Christendom until recent times, and the cruelties inflicted on slaves were as terrible as the human mind

can conceive. Mohammed declared that no one should be held in bondage except one who had been captured in lawful war; that no child should be separated from its mother, no wife from her husband, no brother from his brother. He declared the emancipation of slaves the greatest act of virtue; he directed that slaves should be treated, fed and clothed as those who held them in bond. What does all this point to? And yet the critic has not the honesty to refer to them even slightly. Imam Jaafar as-Sadik pronounced that the man who purchased and the man who sold a fellow-being were outcasts of humanity. Surely precepts like these do not encourage slavery, but are rather its strongest condemnation!

The laws of a nation in many instances furnish a fair index to its collective moral sense; often, however, there is no relation between the two: sometimes the moral sense of the people is in advance of their laws, as in the case of slavery and woman's property in England: at other times, the reverse is true, as in the case of those Moslem communities which still practise polygamy, although practically prohibited by Islam. It is perfectly true that there are Moslems who believe the *Koran* to be the final revelation of God, as there are Christians who believe the *Bible* to be the final revelation of God. At the same time, it must not be forgotten that from the earliest times there have existed large sections of Islamists who have held 'that there is no eternal law as regards human actions: that the Divine ordinances which regulate the conduct of men are the results of growth and development, and that the whole world is in a process of evolution.' They have differentiated between what is permanent in the regulations of Islam and what was temporary.

The difference between the early Christian and the early Moslem organisation is of an historical character, capable of being analysed, and it is unjust to ignore its significance. The ministry of Jesus was short: He appeared among a people who, with a system of their own, had to yield submission to foreign laws of a more organic character. Mohammed's career was different; he appeared among a people who had no laws of any kind, human or divine, and to whom their passions supplied the rules of conduct. He had to preach, to guide, and to rule. Accordingly, his enunciations

assumed the aspects necessary for those purposes.

If the Koran is analysed, it will be seen that it is divisible into three different parts : there are exhortations to the worship of God, to observe piety, truth and purity—in fact, all those principles which are supposed to have been 'implanted by Chrsitianity in the human heart'. There are general rules of conduct, few from their nature; and, lastly, there is a mass of orders, commands, and aphorisms called forth by the passing exigencies of the day, or relating to the circumstances and requirements of a primitive and archaic society and a small commonwealth.

Mohammed himself foretold that a time would come when the accidental and temporary regulations would have to be differentiated from the permanent and general.[4] No one is more keenly alive to the defects of modern Mohammedans than I am, but these defects are no justification for the false and fanatical attacks which are made on Mohammed.

The present stagnation of Moslem society is not due to the precepts of the Prophet, but to the idea which has taken possession of the legists that the exercise of private judgment stopped in the third century of the Hegira.

The Moslem world has now descended into a 'hollow,' to use Mr. Cotter Morrison's expression, similar to that into which the Western world had fallen from the fourth to the sixteenth centuries. Its Reformation is only just beginning. It would be deplorable, indeed, if militant Christianity, such as this writer professes, were to turn the tide of progress into channels of strife and religious animosity.

The writer says, in language the virulence of which is remarkable even among the intolerant school of which he is the exponent, 'that when the Mussulman ceases to conquer, he begins to degenerate. . . He has no aptitude for civil life, and his religion forbids him to mingle on equal terms with conquered populations, unless they adopt his religion. He either slays them or reduces them to a degrading servitude in which they are denied all the rights of citizens.'

It is impossible to characterise this statement except as a gross

4. *The Spirit of Islam*, p. 286.

and deliberate perversion of historical fact. A critic is not expected to read the book he professes to criticise ; but when he makes charges and challenges an answer, it is fair to say that, had he read history with less jaundiced eyes, he would have found his accusation to be untrue. In my chapter on 'The Political Spirit of Islam' I have tried to describe the treatment of subject nations by the Moslems, and compared it with their treatment by Christians. I may fairly ask: where is the answer to those observations ? How are the Jews treated in Russia, and even in more advanced countries, in the present day ? What is the treatment meted out to the people of India who go to the Transvaal, and to the Chinese in the Western States of North America ?

Our critic talks of the sentiment of nationality as owing its origin to Christianity. Professor Pearson has shown, in his *National Life and Character*, that this sentiment is of modern growth, the result of moral and material evolution. In the middle ages, when the Church of Rome was supreme over Christendom, the idea of nationality existed only in a secondary sense, as it exists, speaking generally, among the Moslem communities nowadays.

It is late in the day to enter into a protracted discussion of the charge that the Alexandrian Library was burnt under the orders of the Caliph Omar. The statement of Abu'l Faraz has long been confuted by a succession of learned historians. But, in order to restore Abu'l Faraz's credit, the writer most ingeniously suggests that the order may have been given some years after the capture of Alexandria, although Abu'l Faraz himself puts forward no such theory.

The Alexandrian Library of the Ptolemies was, as a matter of fact, burnt long before in the siege which Julius Caesar underwent in that city. If anything remained, it was destroyed by Theodosius and the saintly murderer of Hypatia and his myrmidons. The references to Ibn Khaldun and Abdul Latif, to give colour to the suggestion, are irrelevant. Among Arabic scholars, Abdul Latif's authority as an historian is *nil* ; whilst as a geographer, when he speaks from his own observations, he is regarded with respect. Ibn Khaldun deplored the ruin which wars always entail upon the inheritance of the past, and he referred to the loss of many ancient works during the struggles of the Arabs with the Persians and the

Copts; but there is no warrant in his History for the statement that the Alexandrian Library was burnt under the orders of Omar. The references to Omar's objection to maritime adventures, and his order to his people not to erect houses of more than one story, are too puerile to require notice, and I therefore pass on to the charge of obscurantism preferred against Islam by its latest critic.

To him the pages of Ibn Khallikan, Haji Khalifa, Nowairi, and others are blanks; according to him, Islam never produced a single scholar or savant! Alas for Avicenna, long recognised in Europe as the second Aristotle; Abu Raihan Beyruni, Abu'l Wafa, and a host of others; for the universities of Cairo, Bagdad and Damascus! Sedillot and Kremer can tell him whether Moslems ever cultivated science or learning, and whether litterateurs, scientists, and philosophers flourished in Islam or not. The men whom they mention belonged to different nationalities, but were inspired by one faith. The charge of obscurantism against Islam is a self-delusion, if not a deception practised upon the credulity and ignorance of others. One has only to refer to the precepts of the Prophet to find an answer to this unfounded accusation.

The progress of Europe commenced when it threw off the shackles of ecclesiasticism; it commenced with the emancipation of the mind from the thraldom of the Church. Voltaire and his contemporaries were the pioneers of modern progress, and not the divines of the two sects into which Christianity became divided in the sixteenth century. The decadence of Islam began with the destruction of Bagdad by the Mongols. In the thirteenth century issued from the steppes of Central Asia that wave of savagery which, like an avalanche, destroyed every vestige of civilisation, and engulfed in the fire and blood the entire Saracenic nation. No such calamity as has afflicted Asia in the persons of the Tartars has befallen Christendom since the battle of Chalons and the retreat of Attila from Gaul. It took two hundred years for the countries so ruthlessly devastated by the savage hordes of Chengiz and Hulaku to resume the ordinary aspect of human habitations.

With the adoption of Islam, the Tartars became the protectors of learning. But the fearful massacres which the barbarians had ocmmitted among the settled and cultured population of towns

destroyed most of the gifted classes, with the result that, though the great cities like Bokhara and Samarcand rose again into splendour, they became, nevertheless, seats of a narrow culture, more casuistical and theological than before. This renaissance, however, was not to last long. In Central Asia, the outburst of the wild Uzbegs finally put an end to all development. They destroyed what the Tartars had left and Tamerlane and his successors had built up. They either killed or drove out all men of learning, and now the spirit of desolation broods over Transoxiana. Shah Ismail Safawi and his successors raised Persia to a high pitch of glory; and its condition under Shah Tahmasp the Great would compare favourably with that of England or France under his contemporaries. In the beginning of the eighteenth century, the weakness of Shah Hossain brought on the Ghilzai invasion; a horde of wild savages issuing from the mountains of Afghanistan ruthlessly destroyed the scholarly classes, burnt down colleges and schools, and turned Persia into a desert. What these invaders did in that afflicted country can be read in the memoirs of the poet-philosopher Sheikh Ali Hazin, who took refuge in India and died there. Then followed the merciless tyranny of Nadir Shah and the destructive wars between Kajar and Zend before Agha Mohammed Khan seated himself on the throne. Judge now whether Islam is responsible for the stagnation of Persia.

Afghanistan, since the Ghorian upheaval, has been the abode of warring tribes, who have hardly acknowledged any central authority, and upon whom even Ameer Abdur Rahman, like the great Ahmed Shah, has some difficulty to put the curb. After Sultan Bibars, as every student of history must know, Egypt fell under the control of the Mamelukes, foreign slaves, and the anarchy which prevailed under them was only put an end to by the drastic measures of Mohammed Ali. Northern Africa under the Fatimide and Almoravide sovereigns was the abode of learning and science; scholars and savants were received and honoured, colleges flourished. The rise of the Almohades, accompanied by a terrible outburst of Berber fanaticism in the fourteenth century, turned back the tide of progress, arrested the civilisation of centuries, and converted the seats of learning and arts into centres of bigotry and ignorance. The settlement of the Corsairs on the Barbary

coast, and the anarchy in Egypt under the later Mamelukes, discouraged the cultivation of peaceful knowledge.

But what about Arabia? asks the critic. He forgets the horors of the sack of Mecca and Medina under the semi-pagan Ommeyades, the closing of the school of Medina, the frightful wars of the heretical Kharijis, the slaughters committed by communistic Karmathians, which turned every part of Arabia into a howling wilderness. And, finally, the uprise of the Wahabis with their puritanical pretensions and persecutions. Reviewing some of the disasters which have befallen Islam, a philosophical Frenchman pertinently asks, with reference to the charge of obscurantism, 'What would have become of any European country, although Europeans' under the circumstances?

What the Christians did in Spain to destroy the learning and arts of the Moslems need not be retold. But it is asked, if the intellectual progress of the Moslems in Spain was their own, how is it that the moment they were expelled from that country they lost all trace of it? In the first place, it is an impertinent assumption that they at once lost all traces of civilisation. In the second place, the writer forgets that the retention of culture depends on the surroundings. Suppose the Huguenots, after the revocation of the Edict of Nantes, had been driven into a country like Africa under the later Almohades, what would have become their condition in the course of a few years?

Under Selim I, Solyman, and the Murads, learning received support and encouragement in the Ottoman dominions; but the Osmanlis were, on the whole, a military race. At first from ambition, afterwards from sheer necessity and self-preservation, they have been at war with a relentless foe, whose designs know no slackening, whose purpose is inscrutable. Letters and arts under such conditions can make but little progress. No country in the world has had to contend with such insuperable difficulties as Turkey. For the last century and a half, every two decades or so she has been engaged in exhausting wars, not of her own making, but forced upon her by the crusading zeal or the ambition of others. And yet, in spite of all difficulties, partly originating from within, and partly from without, all candid observers admit that the country has made considerable progress in every direction. Nor

are wise and patriotic statesmen wanting. Men like Said, Turkhan, Zia, and Tewfik would do honour to any country. The writer says the Christian subjects of the Sultan do not occupy the same position as the Moslems, and unless they adopt Islam they cannot attain Ottoman citizenship. This statement is either a quibble, or involves a *suppressio veri*. Of course, a Christian subject of the Sultan cannot become a Sheikh-ul-Islam, any more than a Roman Catholic can become an Archbishop of Canterbury. In other respects Moslems and Christians occupy the same position. Many Christians hold some of the most responsible places in the empire, as the names of Rustem, Karatheodori, Sava, Michael Portugal, Artin Pashas abundantly show. Whatever may have been the provisions of the archaic law, it is untrue to say that the evidence of Christian witnesses is not admissible now in the Ottoman courts of justice. The disqualification imposed by the primitive law is exactly similar to that found in the canonical (Christian) law, which excluded the evidence of heathens and heretics, and in the civil law, which excluded the evidence of aliens.

If the treatment of non-Moslems in the Islamic countries were compared with that of non-Christians in Christian countries, it would be found that the balance of hymanity, generally speaking, inclines in favour of Islam. From the earliest times Moslem sovereigns made no distinction between their subjects on the ground of faith or creed, and Christians and Jews have held important offices in common with Moslems. Under the Mogul emperors of Delhi, Hindoos commanded armies, administered provinces, and sat in the councils of the empire. When were the Catholics and Jews emancipated in England? And even in the present times can it be said that in no Christian empire ruling over mixed nationalities and creeds is any distinction made of creed, colour, or race?

Cruelties occur in Moslem countries as they occur among Christians. But whilst we hear so much about the former, do we hear one word of reprobation about the latter? The cruel poisoning of several thousand Indians in South America, the massacres of the Yomad Turkomans, the terrible persecution and deportation of several millions of Jews in Russia, the flaying alive of negroes, the rolling of negresses in spiked barrels, are passed by. Moslems may

be impaled and burnt alive by Christians, their women outraged and their children killed, their villages reduced to ashes, and the hysterical brotherhood whose disordered brains saw in Albanian scarecrows gibbeted Bulgarians, remain voiceless.

Language such as is used daily towards the Sultan is enough to drive the meekest and humblest individual into opposition. And the terms in which his people are spoken of are not by any means conciliatory. There are other races quite as 'unspeakable,' in spite of their Christianity, as the Turks. Firmness with courtesy would be more likely to prevail than insult and vituperation. Everyone who, as a British subject, glories in the greatness of the empire of England will regard it a calamity if Turkey is driven to become a second Bokhara, or to throw herself into the arms of any Power whose interests are not identical with ours.

The peril to India, if I may presume to say so, lies in the Persian Gulf, and not on the North-West Frontier. Russia holds Persia in the hollow of her hand. It would be disastrous, indeed, if any circumstance were to lead Turkey also to join with or to become subservient to her ancient enemy.

About the deplorable incidents in Armenia referred to in the article under review I desire to say as little as possible, though I yield to no man in my horror of cruetly and abhorrence of injustice. But those incidents have as much or as little connection with Islam as the butcheries of the Duke of Cumberland in 1745, the massacre of Glencoe, or the occurrences at Ballina or Ben Mullet in 1881, which an Irishman does not hesitate to ascribe to Mr. Gladstone, had to do with Christianity.

When two semi-savage races live side by side whose religious animosities are embittered by disputes about pasturage, 'atrocities' will occur. The Kurd is as much a savage as our own Pathan frontierman, but the Armenian at home is not so gentle as is supposed, nor does he fight in kid gloves. Murders lead to reprisals. From tangled masses of unsifted testimony, it is often difficult to gather the real facts, or to adjudge relative culpability. Armenians are as prone to exaggeration, to use an euphemism, as any other folk even in civilised lands, and when people are smarting under a sense of wrong fostered by agitators, their statements are apt to overrun the bounds of truth.

However it be, whosoever may have been in the wrong, and in whatever way the troubles may have commenced, there can be little doubt that enough occurred either on one or both sides to require on the part of Turkey the prevention of such disorders in the future.

In spite of the improvement that has taken place in Turkey, there is room for more, as is the case in other countries. But Turkey's position is unique. Her government is always on the test, and it therefore behoves her, not only in her own interests, but in those of Islam, to try at once to remove all cause for criticism and hostile denunciations. It is to be hoped that wise statesmanship and true patriotism will impel the Sultan and his advisers to take prompt measures to introduce effective reforms all over the empire. How far agitators whose object is not the improvement of the Ottoman Empire, but its dismemberment, will allow the people to settle down in peace and contentment, remains to be seen.

8

ISLAM AND CANON MAC COLL[1]

[*The Nineteenth Century*, November 1895, pp. 778-85]

The veiled prophet of the *Quarterly*, though still hiding behind the shelter of anonymity, has revealed his real self in his latest production by a characteristic intemperateness of language, reckless partisanship, and personalities which need no adjective. With an honest-minded adversary anxious to discuss in a scholarly spirit the merits of a question of momentous interest to many millions of the human race, a controversy about Islam would probably not be without profit. With an enemy actuated by religious rancour, whose sole desire is to vilify a religion against which he has conceived a violent prejudice, further discussion is alike unpleasant and unprofitable.

To such an opponent nothing comes amiss as a weapon of attack —ancient or modern, true or false, all serve his purpose equally well. I do not propose, therefore, to do more than call attention to certain statements which I cannot allow to pass unnoticed and unrefuted in the 'rejoinder' of Canon Mac Coll—it would be absurd to permit him any longer to wear the mask he assumed. I have no doubt that in the present state of feeling in England, his anathema against Islam has succeeded in achieving the purpose for which it was designed, namely, to inflame still further the passions and prejudices of the fanatical, perplex the wavering, and obscure the main issues in the minds of others. The name of Canon Mac Coll has in these days become a noun of multitude. As secretary of

1. See *Fortnightly Review*, October 1895.

various associations, promoter of public meetings, writer of endless letters and paragraphs in the newspapers, of 'resolutionist' pamphlets and anonymous articles, he has filled England with the volume of his sound. His manoeuvres remind one of soldiers on the stage, who, by constant moving in and out, convey to the spectators the impression of a large army. And such is the effect the Canon has managed to produce on the public mind.

My solitary voice at this juncture, I fear, can offer but a small resistance to the wave of intolerance engendered by these clever tactics. Beyond endeavouring, therefore, to correct some misconceptions, I shall do no more. The rest, personalities includeed, I leave to the sober judgments and chivalrous instincts of such of the reverend Canon's countrymen as have not lost their proverbial sense of justice and fair play in their love for the Armenian or their hatred for the Turk. With this I put aside Canon Mac Coll and apply myself only to refute his perversions of the Islamic system.

His article in the *Fortnightly* is likely to create among persons unacquainted with Mahommedan jurisprudence an impression that the *Hedaya* is a work like the *Code Napoleon,* an embodiment, in short, of positive rules and regulations. I must mention here that, excepting rules relating to succession and partially to marriage, there are but few positive directions in the Koran. The law on other subjects is derived by inference, construction, and illustration from the traditional sayings of the Prophet—a process which has naturally given rise to a wide difference among legists both in principles and their application. The divine origin of the laws is a matter of theory; each great legist has his own interpretation. The *Hedaya* was written in or about the year 1183 of the Christian era by a Central Asian lawyer. It gives the opinions or Abu Hanifa, a theorist of the eighth century, whose name the school bears, and of his disciples Abu Yusuf and Mohammed, with occasional references to Shafei and Malik, the founders of two other schools. The opinion of each is set against that of the other with objections and answers. The consequence is that in order to reconcile the differences of the various legists, theoretical or otherwise, four glosses[2] were written one after another in the course of a short

2. Inaya, Kifaya, Badaya, and Nihaya.

period. Without them the *Hedaya* itself is difficult either to comprehend or to apply in actual practice. The *Hedaya* represented the spirit of the times so far as related to the Hanafite Sunnis, in the same way as the feudal codes and ecclesiastical laws of Christendom embodied the harsh and intolerant spirit of Christendom in the Middle Ages. Since the days of the *Hedaya* there has been a succession of works on Mahommedan law by practical jurists and judges. The old enunciations were examined and analysed, many were allowed to become tacitly obsolete, like some of the cruel laws that still disfigure the English Statute Book: others were distinctly put aside as 'of weak authority'. Among those which took a broader and more liberal view of the old enunciations, I may mention the *Tanwir-ul-Absar*, the *Fath-ul-Kadir*, the *Durr-ul-Muhtar*, the *Fatawa-Ankirawia*, and the *Radd-ul-Muhtar*.[3] I am confining my attention solely to the Hanafite law and say nothing about the Shiah or the Mutazalite systems; the latter came into practical operation in the time of Al Mamun and his immediate successors and is most humane and progressive in its interpretations.

I dwell on these works and the gradual development of the law evinced in them, in order to show how utterly misleading it is to suggest that the *Hedaya* is the sole guide to Mahommedan law. The *Hedaya* was found to be so antiquated by the middle of the seventeeth century, and so difficult of application to the requirements of a conglomerate population, that Aurungzebe (Alamgir), in spite of his limited sympathies, on his accession to the empire of India, commissioned a body of jurists to prepare a comprehensive digest which is now called after him the *Fatawa Alamgiri*.[4]

When Warren Hastings established the Mahommedan College at Calcutta, he also thought of having some work on the Mahommedan law translated into English. Instead of the *Futawa Alamgiri*, or the *Radd-ul-Muhtar*, the choice unfortunately fell for its easier size on the *Hedaya*, and the task of rendering it into English was

3. All these works are to be found in print, and there is no excuse for not knowing them.

4. Parts of this stupendous work have been paraphrased by Mr. Neill Baillie.

ultimately entrusted to Mr. Hamilton. As he was not acquainted with the Arbaic language, the original was first paraphrased into Persian by some Moulvis, and this again was translated into English. In spite of the certificate appended by Mr. Hamilton to his rendering, Mahommedan lawyers find his work misleading and erroneous in essential particulars, and his explanatory notes, owing to his ignorance of Mahommedan law, especially wrong.

So much was necessary to be said on the genesis of the *Hedaya* which has formed the armoury of the enemy.

I now come back for a moment to the later treatises on Moslem jurisprudence. No Mahommedan lawyer would dream of applying or enforcing the archaic enunciations, harsh or humane, of the old legists, without reference to these later works to ascertain how far the views expounded in the ancient books, like the *Hedaya*, had been accepted or put aside. To do otherwise would be just as reasonable as if an English lawyer were to attempt to enforce or apply the laws of the Confessor, or the enunciations contained in Bracton, without reference to what has been said or done since.

The Caliph Ali had emphatically pronounced that 'the blood of the *Zimmi*[5] is like the blood of the Moslem, his goods and cattles like that of the Moslem.' The *Radd-ul-Muhtar*, which embodies the Hanafite law in its developed form and is recognised as an authority in every Hanafite country, after quoting the rule laid down by the Caliph which placed the person and property of the Zimmi on the same footing as of the Moslems, amplifies it and enunciates a number of principles all breathing the same spirit of humanity and tolerance. The Zimmis are not to be molested in the exercise of their religion, or constrained to change their faith; they are not to be ill-treated in any way or their goods taken from them. The Moslems were to pay the tithes, the application of which was defined; the Zimmis were to pay a tax higher than the tithes, because they were exempt from military duties and other similar burdens.

Surely, against the harsh views of the *Hedaya* the Moslems are entitled to set the character of the Prophet to the Christians of

5. The non-Moslem subjects of a Moslem State are called 'Zimmis' or 'liege-men.'

Najran, the rule laid down by the Caliph Ali, and the enunciations in the *Radd-ul-Muhtar* and other works of authority.

Of course, in the *Hedaya* and other equally ancient treatises, directions are to be found to this effect, that there should be a distinction as to garment, &c., made between Moslems and non-Moslems. In considering these, what appear to us, intolerant rules, but which may have been the result of policy as then understood, it must be borne in mind what was the condition of non-Christians in Christendom until very recent times. Rights they had none ; enough if they were suffered to exist. Lawful unions between Christians and non-Christians were prohibited under the direct penalties ; if a Christian contracted an unlawful union, he was burnt to death. The Jews might not eat or drink or sit at the same table with Christians, nor dress like them. Their children were liable to be torn from their arms, their goods plundered ; and this state of things lasted until the close of the seventeenth century.

In Russia even now the sumptuary laws and regulations against non-Christians are of a peculiarly cruel character.[6]

As a matter of fact, the sumptuary rules of the old exclusive times fell early into desuetude in India, long before the establishment of the Mogul dynasty. And even in Turkey they could hardly have been in force to any appreciable extent, for we find the Jews, who were driven out from Spain by Ferdinand and Isabella and their successors, and who found a refuge in Bosnia and Herzegovina, taking up arms along with their Moslem compatriots in support of the Turkish rule against Austrian occupation.

Time for time, I venture to assert that the Mussulman law treated non-Moslems in a much more tolerant spirit than did the laws of Christendom the non-Christians until within recent times when progress in material civilisation led some of the Western Christian States to broaden their legal systems.

In the old treatises on Mahommedan jurisprudence, rules of

6. I might refer with advantage to Mr. Frederic's interesting work, called *A Modern Exodus*, where the cruel persecution to which the Jews have been subjected in Holy Russia is described.

procedure exist side by side with positive laws. The Prophet had once declared that the testimony of depraved people should not be believed. This dictum has furnished to the legists a vast subject for discussion and difference of opinion. In the *Hedaya* the conflicting views as to the admissibility of the testimony of women, atheists, slanderers, men who had committed heinous crimes, &c., are set out. Zimmis are classed by some as atheists; and the opinion is expressed that their evidence should not be accepted against Moslems. The later lawyers have explained, broadened, and often cut away the exceptions. Some hold the evidence of Zimmis to be admissible; others declare that the evidence of two Zimmis is equal to that of one Moslem. In considering the old Hanafite rule, we must again remember that it is only the other day that witnesses were allowed in England to give their evidence on solemn affirmation, and that until then an oath on the Bible was compulsory without which their testimony was refused. A narrow conception of human nature is not confined to Moslem ligists!

As regards the legal system in Turkey, the *Multeka* is nominally the guide; the laws which regulate transactions between Moslem and Moslem are gathered from the exposition of the later authorities to which I have made a brief reference. The general and, so to speak, the secular law is embodied in a series of rescripts which have been published in a collected form in French by M. Demetrius Nicolaides under the title of *Legislation Ottomane*. So far as I have been able to see, they make no distinction between the Moslem and Christian subjects of the Sultan. And an eminent English traveller, by no means a Turkish partisan, declares as the result of his own observations that in courts of justice no difference is made between Christians and Turks. His words are worth quoting:

> In the towns of Turkey in Asia that I have visited I have found Moslems and Christians living in accord, enjoying the same prosperity, suffering the same disadvantages, the sole difference being that in the courts of law the judges are more prone to believe a Moslem than a Christian. In this the judges are wrong, for, generally speaking, neither ought to be believed.'[7]

7. Mr. Harris in *Blackwood* for October.

A Moslem friend who has lived all his life in Turkey, and is thoroughly versed not only in Turkish law, but in the Turkish and Armenian languages, informs me that there are two distinct tribunals in the Ottoman dominions, viz. the *mahkamah nizamie* (civil courts) and the *mahkamah sherie* (the ecclesiastical courts). The latter take cognizance of cases between Moslems relating to such matters as succession, divorce, &c. ; the former execrise jurisdiction where the parties differ in creed or are not Moslems. The *Medjillah* regulater the procedure of the law courts, and under Art. 1686, the only exception as the admissibility of evidence relates to the blind and dumb.

He also informs me that the story about the effigies in the *Fortnightly*, if it has any foundation, must refer to figures showing the historical costume of the janissaries at different periods (as in European armouries), and that the gross explanation given in the *Fortnightly* must have been derived from some source inimical to the Moslems. Otherwise the story carries its own contradiction, for it is unlawful in Islam to make any images.

The article in the *Fortnightly* more than suggests that the laws and religion of Islam countenance the most unspeakable vices. It is impossible for me to do more than refute in general terms the broad innuendos contained in the *Fortnightly*. The writer may have been taught to read the verses of the Koran quoted by him in the sense he suggests. Suffice it for me to say that I have never come across an Islamist who placed such a grossly prurient construction upon those words.

However disinclined I am to refer to such distasteful and unsavoury subjects, justice requires that I should give another instance of the writer's animus. In the *Hedaya*, the word *'izl* is used with reference to a certain Malthusian practice. Hamilton erroneously transcribes it as *azil*,[8] and in his ignorance of the technicalities of Mahommedan law puts, in a parenthetical sentence, a gross construction on the word. An impartial inquirer having regard to the context would have tried to ascertain the true meaning from someone versed in Mahommedan law. But our critic, with characteristic uncharitableness, perfers at once a vulgar and disgraceful charge.

8. There is no such word as *azil* in the Arabic language ; *azl*, with an *aliph*, means eternity.

Honi soit qui mal y pense. Those who wish to know the real signification of the expression will find it in a note in Baillie's *Digest*, vol. ii. p.43, and in my *Mohammedan Law*, vol. ii.

I have read Ibn Khaldun in the original, but do not remember any such passage as that referred to in the *Fortnightly*. It is possible, however, it may have escaped my notice. I trust that the disgusting matters with which the English press was flooded during the course of a now notorious trial and the universally known prevalence of certain kinds of immorality in Southern Europe, Russia, and generally among Eastern Christians, may not lead any Moslem fanatic to suggest that Christianity countenances such crimes.

I assert again that for certain offences the recognised punishment is death. The difference to which the writer refers as appearing in the *Hedaya* relates to a wholly different matter, nor does he seem to be aware of the distinction between *hadd* and *ta'zir*.

The demerits of the Turkish Government have been cleverly mixed up in the controversy about Islam, to discredit the one by showing up the faults of the other. To a section of the British public the presence of a Moslem sovereign in Constantinople is an eyesore, and every means to bring about his expulsion is regarded as justifiable. It was said long ago, 'As they sow, so shall they reap.' Those who sow the seeds of dissension and discord, encourage discontent and agitation, must, in the end, reap the usual fruit; when risings planned with considerable forethought are carried out with diabolical accessories, with the object of inflaming the blood of an ignorant populace, murderous reprisals are sure to follow. It must not be supposed for a moment that I wish to palliate the faults of Turkish administration or the brutalities of a Turkish mob, which, no doubt, can be as ferocious and cruel as any other mob. That the pride of race or religion will impel brutal natures to ill-treat cruelly and foully the comparatively weak and defenceless is as equally true of Moslems as of Christians. Are we to attribute the brutalities committed by Christians to their religion? It is untrue that Islamists do not condemn acts of cruelty committed by Moslems on non-Moslems. They regard with abhorrence any cruelty perpetrated by the Turks as much as any other people; but they cannot forget that the reports spread by designing agitators and fanatical firebrands are sometimes false and often exaggerated, and

that diplomatic officials, as well as newspaper correspondents, frequently see and hear things through the eyes and ears of persons interested in misrepresenting the truth. It is the common complaint of the Turks that English travellers derive their impressions almost exclusively from the Armenians and Greeks into whose hands they fall on their arrival in Turkey. I am afraid a foreigner travelling in India and gathering his information regarding the British rule from the bazaar touts who often act as guides, would carry away the idea that the English habitually ill-treated the people, were partial in the administration of justice, and so on.

No one can rightly deny that the system of Government in Turkey is lax, especially so in the remoter parts; that many of the provincial governors, heads of departments, and chief officials subordinate public interests to personal benefit to a monstrous extent. From this laxity the Moslems suffer much more than the Christians, who have at their back the consuls of the various Christian States, and the different politico-religious associations in England and elsewhere to advocate their cause. Had England at any time insisted upon a general improvement of administration irrespective of creed or nationality and the introduction of reforms applicable to both Moslems and Christians, she would have enlisted on her side the sympathy and moral support of the Moslems all over the world, including those of Turkey.

Fortunately, the good sense of the Sultan has led him to accept the proposals of the Christian Powers in order to remove a long existing tension. What the outcome of this settlement will be it is difficult yet to say. If it is allowed to be carried out, it will undoubtedly give peace to the empire. But, unfortunaetly, neither the Armenian Revolutionary Committees nor their foreign supporters are satisfied, and seem bent on further agitation.

One thing, however, is clear, that Russia has cleverly managed to impress on the Sultan that she is his only friend—a by no means pleasing prospect for India.

Whatever Canon Mac Coll's opinion may be regarding the Indian Mussulmans—princes and people who stood loyally and faithfully by the British Government in the moment of its greatest tribulation—the soldiers who serve in such large numbers in Her Majesty's army, I am certain his views are not shared by those

who are actually concerned with the government of the country. Ever since the disappearance of the Timuride dynasty, the Mohammedans of India have transferred their wholehearted loyalty to the British Crown. It would be disastrous indeed if the ravings of fanatics were to give rise to an impression among them that the English hated their religion.

I do not wish to prolong this discussion further. I think I have said enough to convince thinking and rightminded people, that, as always, there are two sides to the question, and that judgment should not be pronounced against Islam or Islamists on rancorous and partisan statements without a full and fair hearing of the case on the Moslem side, which has not as yet been accorded to them.

So far as I am concerned, I must consider the controversy closed. I have no objection to enter the lists in a just cause against any gentleman - lay or cleric—Anglo-Armenian or otherwise; but the language of personal vituperation is a weapon I do not care to employ, and I shall not again descend into the arena of polemics with Canon Mac Coll.

9

THE INFLUENCE OF WOMEN IN ISLAM

[*The Nineteenth Century*, May 1899, pp. 755-74]

In all ages and among all nations women have exercised a strong influence, often unrecognised but always perceptible, on the growth and development of the people. It varies with tocal surroundings and the state of culture, but does not in every case depend on the equality of the sexes. Even where the wives and daughters occupied, as in ancient Athens. a state of complete subservience, a certain class of women have proved themselves important factors in the politics of the country. The practical recognition of an absolute equality of the sexes does not owe its origin to any particular creed or system; it is due to the gradual evolution of human enlightenment, to that spirit of progressive opinion which is the product of centuries of material and moral advance. And yet nothing furnishes a more correct criterion of the culture of a race than the position occupied by its women. When the woman stands by the side of the husband possessed of full rights, with a free independent will, not merely the mother of his children. but the mistress of the household, not a simple toy but a comrade and friend, only then can it be said that the people among whom the relations of the two sexes are thus developed is a truly cultured race. 'The historical development of no people,' to use the language of the historian of *Culture under the Caliphs*, 'offers a more convincing proof of the truth of this axiom than the course of Arab civilisation.' At the period of the highest blossoming of the Arabian nation, when it held the foremost place in arts and arms, woman was not only on an

equality with man but also the object on his part of a chivalrous veneration. Social demoralisation, consequent upon political decadence, accentuated the unnerving influence of foreign ideas and foreign customs. 'Gradually the noble picture of the free, courageous, independent, self-respecting, and therefore respected, Arab matron and maiden disappears from Moslem society and its place is taken by that of secluded ladies,' who copy in their lives and manners the luxury, the inanity and want of dignity of the inmates of Byzantine or Persian palaces.

Among the Arabs, women have always enjoyed great respect and consideration, and wielded an amount of influence of which we have little conception. It was the young bride of Haris bin Auf, the mighty chief of the Banu Murra, who brought about the settlement of a longstanding feud that had decimated the two rival tribes of Abs and Zubjan. It was a woman again who pacified the fighting clans of the East just before the birth of Islam. About this period the laxity of morals in the principal cities of Arabia was notorious, and the Meccan *hetairai* had become influential members of society, occupying a position analogous to that of the Aspasias of Athens. The city gallant often attempted to carry his lax notions among the tribes, which not infrequently provoked wars and strifes. The Arabian Prophet introduced certain reforms with the object of remedying these evils, and framed rules for the observance of decency. Sumptuary regulations for the promotion of decorum are often misunderstood, and sometimes have a reactionary tendency. But the improvement effected by the Prophet of Islam in the general status of the sex, and the equality which he secured to them in the exercise and enjoyment of civil rights, perpetuated the chivarly of the Arabs, and women continued up to the pontificate of the Caliph Kadir b'Illah to occupy a high pedestal. The custom of employing eunuchs and *gynaikonomoi* was borrowed from the Byzantines in the reign of Muawiyah. The Harem *system*[1] was adopted from the East in the reign of the Ommeyade Walid the Second; Mutawakkil, 'the

1. The seclusion of women was common among the Athenians, the ancient Persians, and apparently the Byzantines. From the latter the Russians are said to have borrowed their *terem*.

Nero of the Arabs,' decreed the segregation of the sexes at feasts and public ceremonials. And yet almost to the end of the twelfth century women mixed with men with dignity and self-respect; held reunions, gave concerts, received visitors, often went to war clad in mail and helped their brothers and husbands in defending castles against the attacks of enemies. About the middle of the thirteenth century, when the political decadence of the Caliphate was complete, and society had become entirely disintegrated under the attacks of the Tartars, it is that we first read of casuistical discussions whether it was more indecorous for a woman to show her feet than her hands! From the time when Kadir b'Illah promulgated his reactionary edicts woman's influence in Islam has been desultory and fitful, being dependent on her personality and strength of character.

Prejudice and fanaticism have often led men to declaim against the opposite sex; cynicism has gone so far as to declare that it is woman who stands at the gate of life and poisons with her cup the existence of man. Far truer is the other saying, that 'at the feet of the mother is Paradise'. Women have been, and will always be, what men make them. But no philosophical student of comparative religion can fail to observe that at the Fountain of every spiritual faith stands a woman, whose sympathy blesses the work of infusing new life into humanity. Certainly but for a woman Islam would never have become a vital force. Before the Teacher had realised the full meaning of his call; when he was in doubt whether the monitions he had received were from the source of truth, or were only the promptings of an evil spirit; when dejected he was almost on the brink of self-destruction, it was the wife whom he loved and respected, who soothed and encouraged. In the struggle that followed with bigotry and clan-hatred, it was Khadija, 'the noble mother of the Faithful,' who stood by his side, kept alive his enthusiasm, consoled him in defeat, and rejoiced with him in success. She was his truest friend, comrade and disciple in the darkest hour of his ministry.

The idealisation of womanhood is common to all creeds and nations who have made any advance in civilisation. The highest natures crave for an exemplar in whom they can find embodied, or whom they can invest with, all that is pure and divine in

woman. It is this feeling which has led to the growth of Mariolatry in Christendom, and in Islam to the enthronement of the daughter of Mohammed on the lofty pedestal of a perfect woman. It must not be supposed that the position she occupies in the estimation of her father's followers is confused to the more or less educated classes ; the abiding influence of her personality seems to be greater among the masses, especially among the women.

The death of his male children in infancy had centred all Mohammed's affection in his youngest daughter, Fatima. She had received an education which placed her on a part with most of the educated men in her country. Her character was one of mingled sweetness and gravity, which deepened as she grew older. At the age of sixteen she married Ali. The attachment between husband and wife, their mutual devotion, the love they bore to their sons, and the affection of the grandfather for his daughter's children, were the common topic of the time, and that little household with its simplicity and homeliness became a model for the nation. In the midst of her domestic occupations—for although the daughter of the chief magistrate of Medina, many of the common household duties were reformed by her personally—she never forgot her father's followers and disciples. She lectured to mixed congregations of both sexes often in the courtyard of her house, and sometimes in the public mosque. Many of her sermons are still extant. The remains of her sayings reveal to us a nobleness of spirit and high feeling that would do honour to the best women of any age or country. From the nature of things early Islam, like early Christianity, was socially and economically a protest against the gay, not to say lax, lives of the pagan times. And although there was soon a rebound in Mecca, in the northern capital people took life more seriously, and the example of Fatima exercised an enormous influence on their tastes and habits. The women mostly of a puritanical type, reminding one by their quietude and gravity, their untiring industry and anxious care of the household, of the ideal Roman matron, or the New England women of the last century. They flocked to the sermons of the Caliphs and other disciples ; they studied theology and law ; many of them educated their children without any outside help.

Rabia ur-Rai, one of the great jurists of early Islam, was educated entirely by his mother. The father, who had left for the Eastern war when his son was an infant in arms, did not return for nearly seventeen years.

The remarkable success of the Saracenic arms, the rapidity with which the Arabs spread themselves over some of the most favoured portions of the globe, the increase of material prosperity and wealth naturally tended to broaden Arabian culture. Law, religion and 'the traditions' were henceforth not the only subjects of study for women, for the cultivation of poetry, general literature, rhetoric, caligraphy (in itself an art in those days) and other cognate branches of learning were taken up with equal avidity and enthusiasm. Under Walid and Hisham, the Arabian women composed, recited and lectured as the best of the other sex. Even in the ordinary walks of life, where usually culture is an unknown or inappreciable quantity, they showed themselves possessed of cultivation of no mean order. Ibn Khallikan's Biographical Encyclopaedia is full of instances of women belonging to the lower ranks of society reading, reciting and improvising. The leading spirit at this epoch in the world of feminine fashion and culture was a lady named Sukaina, a grand-daughter of Fatima. Ibn Khallikan describes her 'as the first among the women of her time by birth, beauty, wit and virtue.' De Slane says, 'she was one of the most brilliant women of her epoch. Her rank, learning, wit and good taste entitled her to general admiration, and her judgment was consulted by the first poets of the day.' And Perron calls her 'la dame des dames de son temps, la plus belle, la plus gracieuse, la plus brillante de qualites.' Her influence must have been considerable among her contemporaries, for she seems to have been copied in everything: her walk, her mode of dressing the hair and tying the turban, the cut of her jacket, the shape of her mantle served as the model for the dames du monde of the times. Ibn Khallikan says it was Sukaina who introduced among women the fashion of wearing turbans, which centuries later was brought to England by Lady Mary Wortley Montagu. These turbans appear to have been light in make and pretty in shape, and were tied with great taste, one end falling rakishly over the right ear, and were called after their inventor,

'the turban of Sukaina' (*turratus-Sukainiyeh*). But Sukaina was not the leader of fashion merely in matters of dress; she gave the tone to the cultured society of her age. The reunions in her house of the poets, scholars, jurists and other distinguished people of both sexes became the model for similar social gatherings at the residences of other ladies of fashion. These assemblies were enlivened by her wit and her grace, and a natural vivacity of spirit which misfortune had scarcely dimmed. The children of Fatima were the objects of jealousy on the part of the rulers of Damascus, and the meetings in Sukaina's house must have been viewed with suspicion. And yet this tactful lady continued almost up to the very end of her life to hold her little court with great dignity. Surrounded by her maids, she received visitors from all parts of the country, who sought her acquaintance or asked for her patronage. Her unfailing generosity towards learning, and her appreciation of scholarship, exercised a marked effect on the intellectual development of the Islamic people. And yet the respect in which she was held was not unmixed with a little fear, for her criticisms and sallies often left behind them a sting which her pleasant laughter could not always remove. Umm ul-Banin, the queen of the first Walid, under whom the conquest of Spain was achieved, was a personal friend and admirer of Sukaina. She possessed great influence over her husband, and frequently interfered in affairs of State, always, be it said to her credit, on the side of justice and humanity. Most of the great works of benefaction introduced by Walid were due to her inspiration. She was a sister of the pious and good Caliph Omar the Second, 'the Marcus Aurelius of the Arabs'. Once the tyrannical governor of Irak, Hajjaj, had ventured to advise Walid to shake off the influence of the queen. The audacious counsel was in due course mentioned to Umm ul-Banin by the husband himself, he was asked by the queen to send Hajjaj to pay his respects to her. On his arrival she received him in solemn state in the audience-chamber and administered a reproof which is not only typical of the manners of the age, but also mirrors the position women then occupied in Islam and the influence they possessed. Whilst Sukaina ruled in the world of fashion and culture, pietism had its representative in Saint Rabia. This religious lady had as great a hold over the

pious and ascetically inclined as her accomplished contemporary among the scholarly classes. Nothing snows more remarkably the intellectual retrogression of the Moslems than the fact that whilst the tomb of Rabia has become the centre of a pilgrimage, the last resting-place of Sukaina is almost forgotten ; and whilst Rabia's religious exercises, fastings and chastenings are frequently descanted upon in modern books, the work of Sukaina in developing Saracenic culture, her *salon*, her social and literary gatherings are mere memories of the past. The Persian poet Khakani, when panegyrising his mother, calls her a second Rabia, but after the fall of Bagdad we rarely find a reference to the cultured women of the earlier days. I have mentioned the three most typical women of the Ommeyade times, and shall now pass on to the long spiritual and temporal dominancy of the Abbassides, under whom Islamic culture attained its zenith and then gradually fell into decay. At this period, and virtually up to the sack of Bagdad by the savages of Tartary, a large number of women devoted themselves to the study of jurisprudence, theology and 'the traditions'. They taught in schools as well as in their homes, and some of the foremost men in these departments of learning received their education at their hands. Shafei, the founder of the second school of Sunni Law, was trained by two ladies of great eminence as jurists and 'traditionists'.

The accession of the Abbassides unquestionably gave an impetus to the material and intellectual advancement of the people under their sway, and although several causes combined ultimately to create a reactionary movement for several centuries the progress was unprecedented. Up to the reign of Wasik there was little difference, if any, in the *rôle* played by women in society. Gradually, however, as the Church began to grow into a power, and 'conformity' became essential to the orthodoxy, Rationalism was forced to the background, with the inevitable consequence that under the direction of the legists the bonds of the *harem* were drawn tighter. Masudi in his *Meadows of Gold* gives an interesting account of Umm Salma, the queen of Abu'l Abbas Saffah.[2] Her marriage with him was a love match in the truest sense of

2. The first Abbasside Caliph.

the word. He was a suspect in those days, without any prospect of the throne he came to occupy afterwards. This man, whose butchery of the defeated Ommeyades earned for him the unenviabletitle of Saffah, and who in his rage was incapable of self-control, was as devoted to his wife after his election to the Caliphate as before, and her influence over him was almost magical In his wildest outburst she could calm him by a word. 'Her ascendency over her husband,' says the historian, 'was so great that he decided nothing without her advice or even her sanction.' Against the custom of the people and the age, he never took to wife another woman. 'She knew so well how to make herself beloved that he clave to her as part of himself and never gave her cause for jealousy.' Speaking of Umm Salma reminds me of Khaizuran, the consort of Mahdi, the third Abbasside Caliph., and the influence she wielded over her husband and his court. Clever, verstile and accomplished, she was as distinct and prominent a factor in the empire as the Pontiff himself. Courtiers and Grandees, powerful dignitaries and ministers of State, poets and schol ars flocked to her ante-chamber. She was worshipped by the people for her generosity towards the needy and her sympathy with suffering and distress. It was due in a great measure to her active exertions that the fallen Ommeyades obtained in the reign of Mahdi the restoration of their confiscated properties.

Unquestionably, however, the most remarkable woman of this age, prolific in remarkable women, was Zubaida, the wife of Harun. They were cousins and were married in the lifetime of Mansur. On the accession of her young husband to the throne, Zubaida acquired the predominant position for which she was so well fitted by her character and acquirements; and there can be no doubt that her influence tended to the advancement of culture and refinement in Moslem society. Her magnificent and unceasing charity to the inhabitants of the Arabian cities, the aqueduct she made at her own expense in Mecca, the way in which she raised Alexandretta, destroyed by the Greeks, from its ashes and repopulated it, have embalmed her memory in the hearts of succeeding generations. During Harun's frequent absence on military expeditions or administrative tours she corresponded with him in poetry. After the death of her son Amin she retired into private life and her place

in society was taken by Buran, the consort of Mamun. A Persian by birth, Buran joined to the piquancy of her nation the dignity, grace, and sedateness innate in a high-bred Arab lady. If not so brilliant or cultivated as Zubaida, she appears to have made up the deficiency by natural quickness, and her appreciation of genius and talent in others was in no way inferior to that of Harun's wife. She established in the capital several colleges and hospitals for women, which were richly endowed out of her own private funds. Buran survived Mamun nearly fifty years. After his death she lived absolutely retired in the *Kasr Mamuni* ('the Palace of Mamun'), on the other side of the Tigris. By a strange freak of fortune this clever woman is not remembered for her wit, beauty, or charity; her name is perpetuated in a dish she invented. and which is called after her *buraniveh* or *burani*, a great favourit with Eastern gourmets.

Mutazid's wife, the famous Katr un-Nada ('Dew-drop'), held meetings of literary women at her palace. Ladies learned in law and theology, or of distinguished piety, were specially favoured. When Muktadir, the second son of Mutazid, came to the throne, he was but a child, and during his minority, and even after he attained man's estate, his mother held the reins of government. She presided in person at the Council of State and the High Court of Justice ('the Board for the Inspection and Redress of Grievances'). Surrounded by her ministers and grandees, she received the envoys and ambassadors of foreign sovereigns. Her audience-chamber was crowded with men and women entitled by their rank, position or learning to be present at her receptions. The orthodox Suyuti, writing in the sixteenth century, is so indignant with the amouut of power wielded by the ladies that he exclaims:

'In the year 306 (918 A.C.) the mother of Muktadir opened a hospital, and the sum allotted annually for its maintenance was 7,000 dinars. About the same time, owing to the Caliph's weakness, the power of issuing ordinances fell into the hands of the ladies of the Caliph's Palace and things came to such a pass that the mother of Muktadir governed like one vested with supreme authority, holding audience to redress wrongs and looking into the petitions of the people every Friday. She held public receptions and used to summon the Kazis and notables and issue State-edicts signed under her hand.'

A Byzantine embassy, which arrived at Bagdad in this reign, was received by the queen-mother in the name of her son.

The question will naturally be asked, whether on these occasions the queen and the other lades were draped like the ghostly figures now seen walking in the streets of Eastern cities. So far as I can judge, the only concealment of the face the Saracenic ladies affected wast a *nikab* or veil, similar to the *yashmak* worn at the present time by the Turkish ladies of Constantinople, which softened the lines of age and enhanced the loveliness of the young and beautiful. The hideous *burka*, in reality a combination of three different garments, the cloak, the head-covering and the *nikab*, did not become general until towards the close of the Seljukian period.[3] The extraordinary stringency of the *purdah* in vogue among the Mussulmans in India and many other countries was unknown in those days. Women of the highest rank appeared unveiled among men. Ameer Osama ibn Munkiz tells us in his autobiography that his mother and sisters frequently took part in defending their castle against the attacks of the Crusaders and the Assassins, encouraging their men, carrying provisions, and distributing arms among them and even occasionally shooting at the enemy. In Mansur's time two of his cousins actually went to the Byzantine war clad in mail. In Harun's reign we hear of an Arab Joan of Arc, equally famous for her beauty as for her poetical accomplishments, who commanded an army of zealots against the Caliph. Shaikha Shuhda ('Fakhr un-Nissa') lectured openly on polite literature in the public mosques and colleges of Bagdad, *Umm ul-Khair* Fatima and *Umm Ibrahim* Fatima Al-Yezdani taught theology and the traditions to men as well as women. Shafei was taught the elements of jurisprudence by a lady whose tomb still is, or was until recently, an object of pilgrimage at Cairo. Syeda Nafisa was not only the preceptress of Shafei but also pronounced his funeral prayers. Although exceptional women have always proved important factors in society, their halcyon days in the East ended when Kadir (the Abbaside) promulgated his reactionary edict forbidding women to enter mosques or colleges or to appear in public without the *burka*. And with that commenced the decadence of Islam.

3. About the end of the twelfth century of the Christian era.

Zulaikha, the daughter of Nizam ul-Mulk, the great minister of Malik Shah, and Khadija, the sister of Saladin, both exercised great influence in their respective times. The latter, who bore the title of *Sitt ush-Sham* ('the Lady of Syria') established colleges in various parts of her brother's dominions. The one in Damascus was called after her, the Madrassa of the *Sitt ush-Sham*. Turkhan Khatun, the wife of Malik Shah, was another remarkable woman. She managed her own large estates, had her own privy councillors, presided at her own councils and frequently went out hunting. Her tastes and her example naturally moulded the fashion of the age. Upon the assassination of Nizam ul-Mulk she succeeded in obtaining the appointment of her own secretary, Abu'l Gharaim, as Minister of State to the Sultan.

The consort of Sultan Sanjar, Malik Shah's son, bore the same name. Sanjar's love of learning and his munificence to scholars and savants have been immortalised by Anwari, the panegyrist, but the work of his queen can be picked out only from the heavy tomes of annalists. According to one, her devotion to the Sultan was such that she always accompanied him in his wars, and was with him in the ill-fated expedition against the rebellious Turkomans, encouraging by her presence and her words the troops on the battlefied. She was taken prisoner with the king, and died in captivity. According to another author, Sanjar appointed her regent before he marched against the Turkomans, and during the whole period of his captivity she administered his dominions.

Towards the middle of the thirteenth century of the Christian era Western Asia was ruled by a number of petty feudal lords, who were called Atabegs or 'prince-governors'. Some of them tried to make head against the Mongol avalanche and were swept away; others bowed to the storm and retained their principalities as tributary chiefs. Among these were the famous Atabegs of Shiraz and Yezd. The name Turkhan Khatun appears to have been popular in Persia about this period, for the wife of Saad the Second, Atabeg of Shiraz, was also called Turkhan Khatun. 'She was a princess,' says the author of the *Zinat ut-Tawarikh*, 'alike remarkable for her beauty, her high birth,[4] her accomplishments and her

4. She was a sister of Ala ud-din, Atabeg of Yezd.

charities.' Upon the death of her husband (1260 A.C.), leaving an infant son, she became regent and ruled the principality with wisdom and tact. Like her predecessors, she encouraged learning and arts, and her Court was one of the most polished and cultured in that unhappy age when the gloom of night had settled on Western Asia. The little prince came to an untimely end; he fell from the terrace of the palace and was killed on the spot. The afflicted mother retired into private life, resigning the government to a kinsman, and it is said that he, in a drunken fit, put the lady to death. The news and the atrocious murder was carried to the Mongol Emperor, and the murderer soon paid the penalty of his crime. Ayesha or Ayesh Khatun, a princess of the Atabeg family, was then placed on the throne of Shiraz. She is said to have been a pious woman, fond of the society of poets and scholars, who were often invited to deliver discourses in her presence. Turkhan and Ayesha had perpetuated the work begun by Atabeg Zangi, the father of Saad the First, and helped in beautifying and embellishing Shiraz.

In Egypt also, under the Tulunides, and after them under the Fatimides, women of rank or learning wielded great power in society. As a matter of fact, the establishment of the *Dar ul-Hikmat*, or 'House of Science,' which combined the characteristics of a scientific institute with those of a masonic lodge, where the esoteric doctrines of the Ismailias were taught, and which was open to members of both sexes, served to enhance the influence of women. Cairo has at all times been noted as a city of pleasure; and it is not to be wondered at that affairs of gallantry were then, as now, by no means uncommon in the Egyptian capital. But taken as a whole, the example of scholarly women had a healthy effect on Cairene society. Hakim bi-amr-Illah is known as the Messiah of the Druses of Lebanon, who are waiting with such patience or impatience his second advent; but few have heard of his sister, the famous Sitt ul-Mulk ('the Lady of the Empire'). She was a woman of great capacity, and, after the murder of her brother, held the reins until the young son of Hakim attained majority. Shajr ud-Durr, the wife of Malik Saleh Ayub, who on the murder of Saleh's son was raised to the throne, under the title of 'the Queen of the Mussulmans,' appears to have been a woman of education and gifted

with tact and judgment. It was under her wise management that the expedition of Louis the Ninth came to a disastrous end. Takia, an Egyptian lady who flourished in the reign of Saladin, was an accomplished scholar and poet, and frequently entered into poetical contests with paets of the other sex. Under the early Mamlukes the women of the respectable and well-to-do classes played an important part in their different spheres of life; and many in the upper ranks were remarkably gifted. The ladies of the royal family, in imitation of the custom that had existed in Bagdad, frequently gave concerts in their places to which the *elite* of Egyptian society and foreign representatives were invited. Whether on these occasions the hostesses mingled with the guests or not is difficult to say. It is more likely that they and their lady-guests were separated from the rest of the assemblage by a light silken curtain, the means by which some of the Fatimide Caliphs had attempted to conceal their sacred personality from the public gaze. But it was among the Spanish Arabs, in fair Andalusia, which the Saracens had adorned, beautified, and enriched beyond imagination, that women enjoyed the most absolute freedom, with a dignity, grace and self-respect of which the modern Moslem can have but little conception. In the cities of Spain, where the conquerors had settled with their large followings, they retained, unaffected by Byzantine licence or Persian luxury, the chivalry of the desert and that veneration for women which, as Von Kremer says, is inborn in the Arab. Mediaeval chivalry, with its punctilious code of honour, its exaggerated devotion to the fair sex, drew its first breath in Cordova under Abdur Rahman III and Hakam II; it received its development afterwards at Granada under the Banu Nasr. Abdur Rahman, 'the Caliph, the Commander of the Faithful,' placed the statue of his beloved queen at the gate of the palace he built and named after her. The embellishment of Cordova and the other cities, and the building of az-Zahra, were due to her inspiration. So were many of the works of utility or charity with which he covered Spain. The scholarly Hakam the Second employed the wife of one of his ministers, a lady equally famous for her literary attainments as for virtue and piety, as his secretary. To show the consideration that women enjoyed in Andalusia, one need only mention the names of the women scholars and poets who flour-

ished in Cordova, Granada, Seville, Jaen, Malaga, Guadalaxara, Tortosa, and other places—in fact, all over Spain. The poetess Waladeh, described as the most eloquent woman of her age (she died in 1087), rivalling in learning and taste the best poets of her father Mustakfi's court, was celebrated alike for her beauty and her virtue and nobility of character. The famous Umm us-Saad lectured on theology and traditions in the principal college at Cordova. Hassana and Umm ul-Ula, who made Guadalaxara famous by their songs, were not only noted for the excellence of their poetry, but also for their penmanship, which they taught publicly. Another lady, known as al-Aruziyyeh, lectured in Valencia on grammar, rehtoric and prosody,

The Spanish women mixed freely in society, attended public functions and Court festivals, were always present at the tournaments and jousts so frequent at Cordova and Granada and the other principal cities of Andalusia. They paid their devotions without hindrance in mosques, where their presence is likened to 'the flowers of spring in a beautiful meadow'. The Saracen cavalier, than whom none braver or more chivalrous ever drew sword or broke lance, went forth to battle with the cruel Castilian in the name of God and his lady-love, with her device emblazoned on his arms, or tied round his helmet. She inspired him to valorous deeds; the hope of winning her approval formed his incentive to generous, brave and noble actions. The influence of the Spanish ladies was not confined to the encouragement of prowess on the battlefield or in the combat of the lists; it extended to the more substantial, although less dazzling, glory in letters and arts, which found among the cultured women of Andalusia warm admirers and sympathetic friends. Any great achievement in science or literature received its first meed from them; and it was by a combination of the noblest qualities in the two sexes that the Spanish Saracen attained a pitch of civilisation which Spain has not known since.

Coming back to the East, and descending to later times, we find the famous Bibi Khanam the Queen of Tamerlane, 'that Tiran of the North,' wielding an influence over court and people difficult to conceive possible in the age and amidst the surroundings in which she flourished. Her beneficence, and her attempts to restore what in his policy her husband destroyed, endeared her to her sub-

jects; and her tomb at Samarcand still forms the object of veneration throughout the surrounding country. Shah Rukh Mirza, Timur's son and successor, was a great patron of learning. His wife, Gouhar Shad, is said to have been an exceptionally gifted woman, well read in the literature and history of her country. She took a keen interest in the efforts of her husband to revive industry and arts in Transoxiana and Khorasan. Many of the mosques and colleges destroyed by the Mongols were restored with her help.

In spite of all this, there is a gradual decadence accelerated by the rise of the barbarous and fanatical Uzbegs. The power of the lawyers becomes stronger, and the bonds of the *Purdah* are drawn tighter and tighter. And yet there has never been a lack of women who, in spite of the shackles forged by ignorance and bigotry, have influenced society for its good. Even in India, amidst many unfavourable conditions, Moslem women have left ineffaceable marks on history. Ishall do no more than refer briefly to Razia Begum, the daughrer of Sultan Altamsh, the first Queen-Regnant of Hindustan. She had been educated under her father's eyes with a degree of care and attention unknown in those days in India. On the dethronement of her brother, she was raised to the throne of Delhi, in accordance with the last wishes of her father. At first the turbulent nobility refused to give her their allegiance, but by tact and ability she soon brought the whole country to acknowledge her sway. During her short rule she encouraged learning and gave a great impetus to industry. Unfortunately her choice of a consort fell on a person of a somewhat low rank, whom she ennobled before marriage. This roused the jealousy of the chief nobles. The first rebellion was quelled without difficulty. It was followed by a Hindoo insurrection, in the suppression of which the Queen *fell into the hands of the rebles, who cruelly put her to death. The* influence of Razia expired with her. After her no woman arose among the Pathans to continue her work. Intestine disputes interfered with intellectual development; nor did the Pathans possess the scientific and artistic aptitude of the Arabs or their chivalrous nature. The advent of Baber was the beginning of a new epoch for India. The material condition of the people is well described by that observant sovereign, whose somewhat unappreciative picture might almost have been penned by an Englishman of today

groaning under the miseries of exile:

'Hindustan is a country that has few pleasures to recommend it. *The people are not handsome. They have no idea of the charms* of friendly society, of frankly mixing together, or of familiar intercourse. They have no genius, no comprehension of mind, no politeness of manner, no kindness or fellow-feeling, no ingenuity or mechanical invention in planning or executing their handicrafts, no skill or knowledge in design or architecture; they have no good horses, no good flesh, no grapes or musk melon, no good fruit, no ice or cold water; no good food or bread in their bazars, no baths or colleges, no candles, no torches, not a candlestick.'

The Timurides introduced into Hindustan a knowledge of the arts and amenities of civilised life and many of its material comforts, together with such culture as still survived in Central Asia after the havoc and destruction wrought by the Tartars. In Baber's and Humayun's train came many cultivated men and women flying from the savage Uzbegs.

Besides these fugitives, numbers of Arabs, Persians and Turks flocked to India in search of employment and wealth. One of these soldiers of fortune was a Persian of Teheran named Khwaja Ghyas ud-din, who came to the court of Akbar, and by his ability and learning soon won for himself a position of eminence under that enlightened monarch. He was accompanied by his beautiful wife and still more beautiful daughter, named Mehr-un-Nissa. Among the Moslem ladies of India, Mehr un-Nissa. better known in history as Nur Jehan, whom Moore has immortalised in his *Lalla Rookh* as 'the Light of the Harem,' will always occupy the foremost rank. Besides being thoroughly versed in Persian and Arabic literature, she was highly musical and possessed the talent of improvising, an art which was dying out among Moslem ladies. It is said that Prince Selim, who afterwards ascended the throne under the title of Jehangir, met Mehr un-Nissa in her father's house and fell desperately in love with her. To defeat the Prince's intention of marrying the girl, which, considering the Khawja's position, would have been looked upon by the emperor as a *mesalliance*, she was hurried into a marriage with a Turkish adventurer named Ali Kuli, who had earned from his bravery and strength the title of Shere Afgan or 'Lion-killer'. Shortly after Shere Afgan

was dispatched by Akbar to Bengal as Deputy Governor of Burdwan. Jehangir, when he succeeded his father, still devoured by his passion for Mehr un-Nissa, like a second David, tried to compass the death of the husband, who was ultimately killed, and the lady was sent to Delhi, where, after rejecting Jehangir's offers of marriage for nearly six years, she was persuaded to become his wife. There is no mention, however, of all this in Jehangir's Memoirs, and he tells the story of Shere Afgan's death quite differently.

Mehr un-Nissa, with her little daughter, was sent to Agra, where she entered the entourage of Jehangir's mother. She was at this time only eighteen years of age. For six years she remained in the service of that lady. One day, whilst on a visit to his mother, the emperor again saw Mehr un-Nissa. And whether the old passion lept into flame, or whether it was a new love, he offered her his hand, which after a long demur was accepted. Her first title was Nur Mahal (the 'Light of the Palace'). Two years later she received that of Nur Jehan (the 'light of the world'), the name by which she is known in history. From the first day of her marriage her influence over the emperor, the Court and the people was all-powerful. Her father was placed in the first rank of nobles with the title of Itimad ud-Dowla. Her brother Abul Hassan, who received the title of Asaf Khan was soon after made principal vizier, which office he continued to hold under Jehangir's successor. Asaf Khan proved himself the wisest minister of the Mogul times. Nur Jehan Begum was henceforth the *de facto* ruler of the empire and received the honours due to a Queen-Regnant. The chronicler says: 'With the exception of the *Khutba*[5] all the appurtenances of royalty and rulership belonged to her.' 'Sitting beside a window, she received the obeisance of the nobles, and inspected the troops.' A new coinage was struck which bore on one side the names of Jehangir and Noor Jehan, and on the obverse the words. 'Under the command of Shah Jehangir, gold is a ornamented a hundred fold with the name of Nur Jehan Badshah Begum.' Her sign-manual was in these terms:

5. The sermon or oration delivered on Fridays after the congregational service in which prayers are offered for the reigning sovereign.

'By the high command of Nur Jehán Begum Badshah.' 'Gradually matters came to such a pass that to the emperor there remained nothing but the name. Repeatedly His Majesty used to declare that he had resigned the empire to Nur Jehan Begum.' It must be said to the credit of this remarkable woman that the immense power she wielded was invariably exercised for the good of her husband as well as the people. She obliged Jehangir to give up his intemperate habits, and under her admirable management the Court became not only more magnificent and decorous, but its expenses were considerably reduced. 'What shall I write,' says the chronicler, 'of the Begum's goodness and virtues? The aggrieved and oppressed never failed to obtain from her redress and relief; whoever took refuge at her threshold was saved from the evils of tyranny. She relieved numberless orphans and married many poor and parentless girls, giving their dowry from her own private funds. From her unbounded charity great blessings have accrued to God's creatures.' 'In the whole empire there is scarcely a city in which,' exclaims Jehangir enthusiastically, 'the Begum has not left some lofty structure, some spacious garden, as a monument of her taste and magnificence.' The *purdah* in Nur Jehan's days must have been nominal, a mere makebelieve, for we are told that she was fond of riding and often took part in the pleasures of the chase. The side-saddle, which was invented for Catherine de Medici, because, contemporary gossip maliciously alleged, she had pretty feet and wanted to show them, was made fashionable in Western Europe by her famous 'Flying Squadron'; but it was never introduced in the East, and Nur Jehan with her ladies always rode astride. In the revolt of Mohabat Khan she proved her capacity for leadership. The emperor had been surprised in his camp and taken prisoner The moment Nur Jehan received news of this untoward accident, she hastened to the rescue of her consort and gallantly led the attack in person, shooting at the enemy with her own hands, and encouraging the troops with her words. Not until her war-elephant, wounded in the trunk, fled from the field and plunged into the Jhelum with the fair warrior on his back, did she abandon the attempt.

The invention of otto of roses in commonly ascribed to Nur

Jehan; but, as Jehangir relates, it was a discovery of her mother's. The emperor was so pleased with the delicious scent, that he presented the lady with a pearl necklace. The Begum herself introduced several improvements in ladies' dress. The full flowing skirt, afterwards travestied in the Court of Lucknow, the bodice which bore her name, and the pretty scarf at one time in fashion, were her inventions.

Much has been said against Jehangir, but one of his acts, inspired probably by Nur Jehan, will stand in his favour in the Great Account. His father had stopped Sutteeism, the self-immolation of Hindoo widows on the funeral pyres of their husbands. Jehangir interdicted throughout his dominions the mutilation of human beings. He tells us of this in his Memoirs. 'In Hindustan, especially in the district of Sylhet, a dependency of Bengal, from time immemorial a custom has grown up among the inhabitants to mutilate some of their male children, and make them over to the officials in payment of their dues; and the practice has gradually extended to other provinces. Every year many children are destroyed in this way.... The evil has assumed such dimensions, that I have now issued an edict absolutely prohibiting the commission of this heinous act, and the sale and purchase of eunuchs. To Islam Khan and all the officials of Subah Bangala (the Province of Bengal) orders have been despatched to punish severely anybody found guilty of these offences, and to take away eunuchs of tender age wherever and with whomsoever they may be found. If it pleases God, within a short time this disgraceful and atrocious practice will be abolished altogether, for when the sale and purchase of eunuchs is stopped, nobody will engage uselessly in this reprehensive act (of mutilation).' On the death of Jehangir, the great Begum retired into private life, spending her time in pious and charitable acts. She died at Lahore in 1646 A.C., where husband and wife lie side by side in the garden of Shalimar [*sic*]. This accomplished lady also devoted some attention to the development of the culinary art and the decortion of the dinner-table, or, to speek more correctly, the *dastarkhan*. The fashion of dressing dishes in the shape of flowers, which afterwards so astonished snd amused the Persian Nadir Shah, is said to have been originated by her.

On the banks of the Jumna, not far from the city of Akbar,

there rises a veritable 'fabric of the genii,' raised by a royal lover to the memory of a loved and loving wife, which has been the wonder and admiration for the last two centuries of visitors from foreign lands. Many have gone to the spot sceptical as to the merits of the Taj and have come away amazed and overpowered by its surpassing beauty. Love alone could have reared such a structure, the embodiment in marble of a commingling of hope, faith, and trust, over the last resting place of its object. Few, however, who admire the Taj know exactly the story of the lady who sleeps her last sleep under its mighty dome. Court gossip, as common in the palace of the Moguls as in those of the Stuarts and the Bourbons, has given birth to a legend which has now become current in several European books. The Timuride sovereigns had introduced into the conservative land of Ind many innovations brought from their western homes and the freedom of the Steppes. Among these was the custom of holding in palace, on the Persian New Year's Day, a fair called *Mina Bazar*,[6] at which the stalls were kept by the princesses of the royal family and the wives and daughters of the nobles and grandees. On these occasions the ladies appeared unveiled, and showed an amount of address and wit in disposing of their wares which would do credit to a modern charity bazaar in the West. The customers at the fairs were the emperor, the princes and the high nobility. The rights of hospitality and the obligations of chivalry were so strictly observed, that in spite of the merriment which enlivened these gatherings, the tongue of malice could not frame a word of scandal in detraction of the custom. Once, it is said, a prince attempted a little gallantry with one of the lady stall-holders which nearly cost him his life at her hands. The story goes that at one of these bazaars, Shah Jehan, then Prince Khusru, met Arjumand Banu,[7] afterwards Mumtaz Zamani[8] or Mumtaz Mahal,[9] who lies buried in the Taj. It was a case of love at first sight. As she was already married to a great

6. These fairs were also held in the Caliph's palace at Bagdad and Cordova.

7. Lady Fortunate; Banu is the synonym for lady.

8. 'The exalted of the Age.'

9. 'The exalted of the Palace.'

nobleman of the Court, the prince declared his intention of committing suicide. This threat was carried to the emperor (Jehangir), at whose intervention the husband was induced to consent to a separation, and Arjumand Banu was married to Prince Khusru. Unfortunately there is no foundation for this pretty romance. The marriage of Khusru and Arjumand was of the ordinary prosaic kind, although their married life was peculiarly happy, brightened by mutual love and devotion. She was the daughter of Asaf Khan, and was betrothed to the prince, says the *Badshah-nameh*, at the age of fourteen. The nuptials, however, did not take place until five years and three months after the betrothal, when Khusru was twenty years and eleven months of age 'according to the lunar reckoning,' says the chronicler, and 'the Nawab Mumtaz Zamani, nineteen years and seven months'. The wedding was celebrated amidst universal rejoicings in the palace of her father, on a scale of magnificence recalling the marriage of Buran with the Caliph al-Mamun. Jehangir himself tied the bridal veil of strung pearls round the head of his daughter-in-law. The festivities lasted several days, and the emperor distributed large gifts among the courtiers and the people. It was a most happy marriage, and the mutual devotion of the young couple was the common topic of the age. Although Mumtaz Zamani was not endowed with the abilities and statesmanlike qualities of her aunt, her influence on Court and people was unbounded. She ruled by love. Hers was a singularly sweet character and all contemporary writers depict her as a 'saint'. 'It requires a separate volume to write about the benefactions of that noble Queen,' says the author of the *Badshah-nameh*. 'Her pleading (with the emperor) in favour of even the most guilty who appealed to her for intercession never failed to be successful, and many persons condemned to death or imprisonment obtained their liberty or a new life by the kindness of that virtuous lady.' 'Her virtues, her goodness of heart, her piety, her devotion to her husband, her endeavours to please the people, and to promote their well-being are beyond description.' Mumtaz Zamani accompanied him in all his expeditions. This truly good woman, whose influence on her time was as marked as it was beneficent, died at the early age of thirty-eight. With her death, which occurred at the imperial camp at Burhanpur, in the Deccan,

the star of Shah Jehan's fortune set for ever. After solemnly confiding the children, to whom she was devoted, to the watchful care of their father, and requesting the continuance of his protection to her dependants, she took his head in her hands and wept, not for herself but for him whom she was leaving. Shah Jehan's grief was overwhelming. The body of 'the sainted lady' was brought to Agra by the second son, Shah Shuja. The emperor followed soon after, and there by the banks of the Jumna he sat and watched the growth of the shrine to the memory of his love—for shrine it has always been called.[10]

The troubles of Shah Jehan's latter days are well known. His two daughters, Jehan Ara and Roushan Ara, both accomplished and talented women, took different sides in the struggle for power among his sons, which darkened the decline of Shah Jehan's life. Jehan Ara, who had taken at court the position of her mother, favoured the undutiful and narrow-minded Aurangzebe, while Roushan Ara supported as warmly the cause of the dashing frank-hearted Dara Shekoh.

It is impossible, however, that Jehan Ara could have dreamt [that] Aurangzebe would carry his designs to the length he did, and it was probably a broken heart which made her have the following verses (in Persian) inscribed on her tomb:

'Here lies the lowly Jehan Ara, humble as the grass,
Pray for her ye all that visit her resting place.'[11]

Aurangzebe's daughter, Zaib un-Nissa ('the ornament of the women'), who assumed the *nom de plume* of *Makhfi*, 'the Hidden One,' was a woman of culture and high attainments. Scandal has not left her fair name untouched, for she is said to have been in love with a poet of her father's court. The story, however, is hardly credible and is inconsistent with the sentiments expressed in her poetry. That pathetic couplet in which she voices infinite longing for a wider sphere where her intellect could have freer play furnishes, to my mind, the keynote to her character:

10. *Ta* [*sic.*? Taj] *Bibi ka Rouza*, 'The shrine of Taj Bibi' (corruption of Mumtaz Bibi).

11. I have given this couplet from memory.

'Dida-am zulm-o-sitam chandan-ke az zulmat-i-Hind
Me-rawam kaz bahr jai digar paida kunam.'

I have experiened (*lit.* seen) so much tyranny and oppression in this benighted land of Hind,
That I shall go and discover for myself another place (home).

Although in his desire to turn this highly strung girl into a saint Aurangzebe endeavoured to suppress all her intellectual and emotional aspirations, he loved her tenderly—more so probably than his other children—and on her death at the age of twenty-five built a magnificent mausoleum over her grave which although not equal to the Taj in beauty, is yet one of the best specimens of Saracenic architecture in India.

Within our own times India has produced a notable woman, for the name of Nawab Sikandra Begum of Bhopal is still green in the memory of men. During one of the most critical periods ever recorded in history this remarkable woman displayed talent and capacity of the highest order, safely steering her state through the storm and stress of the angry passions that raged throughout Northern India. The signal services she rendered to the British Government during the dark days of the Mutiny, and the firm hold she maintained over her own troops. which prevented the spirit of revolt from spreading in her territories, have been recognised alike by the administrator and the historian. Sikandra Begum had little in common with the ordinary Moslem ladies of modern India. Energetic and of an enquiring turn of mind, she was fond of travelling and visiting places of interest. She attended durbars and public receptions, and allowed herself, like any Western lady, to receive the courtesies and attention due to her position. At one time she wore no veil. but after her return from Mecca, out of regard for local prejudice, she adopted one. A few such women would within a short time change the social condition of India.

At the present time in India the influence of Moslem women differs among the different communities. Among the commercial Borahs, Memons and Khojas of the Western Presidency, their lives are not so cramped nor their activities so crushed under the weight of pernicious and blind custom as among the other sections. Their education does not seem to be restricted to a knowledge of

Mussulman ritual alone; many learn English, and with it imbibe some of the ideas that conduce towards social advancement and the improvement and comfort of home life. There are women in Northern India whose attainments, I admit, are high in Arabic and Persian, but I do not hesitate to affirm that in these days their knowledge is sterile. They are good and pious women, but their influence on society, on the development of their people, even on the growth of their own children is *nil*. So long as their minds run in the groove, so long there can be no prospect of progress. I do not for a moment suggest that the long-established usage of the *purdah* should be abandoned in its entirety; a custom which in the course of centuries has become a part of a nation's social life cannot suddenly be put aside; but there is no reason why the Mussulmans of India should not follow the example of their brother Moslems of Constantinople, where the women are able to move about freely and to take part in the social economy. *There* women now edit journals, write histories, mix in the society of scholars. What is there in Islam to prevent the Indian Moslems from modifying the rigid custom now prevalent to that extent at least? The honest reformer can take heart by the example of the Brahmo ladies who for the last fifty years have held their position in Indian society with dignity and self-respect. Under a benevolent government, animated with an honest desire to promote, to the best of its ability, the well-being of all its subjects, irrespective of religious or sectarian differences, a golden opportunity is furnished for social improvement. The ethical movement created by the Arabian Prophet was intimately connected with the elevation of women. The lowering of their status and of the high ideal of former times implied general decadence. If the Mussulmans of India desire to raise themselves, they should restore women to the pedestal they occupied in the early centuries of Islam. How the material and intellectual progress of a nation is bound up with the position of its women is exemplified by the history of modern Russia. Up to the early part of the eighteenth century Russian women of rank were kept confined within the walls of the *terem*; 'they vegetated, deprived of light and air, in rooms which were half dungeon and half cell, behind windows covered with thick curtains, and heavily padlocked doors. There was no means of

separate exit. The only way of getting out was through the father's or husband's room, and the father or husband kept the keys in his pocket or under his pillow.' They were carried about in closed conveyances muffled with coverings, as may be seen any day in India. They blackened their teeth like the women of the lower class in some parts of Bengal. In the nineteenth century, in spite of the fact that the Czar's subjects do not enjoy political liberty and the blessings of a government conducted on liberal principles, their women occupy more or less the same position as the men; possess, in the higher ranks, the same culture, and are important factors in society. And Russia is now one of the great Powers of the world; and—in spite of the knout and the prisons of Siberia—its people a *civilised nation!*

The light comes no more from the East! In order to acquire a knowledge of the arts and amenities of civilised life one must turn to the West. Any honest endeavour to improve the position of Mussulman women will meet with cordial sympathy on all sides; but the endeavour must come from within. 'God does not change the condition of a people,' said the Arabian Prophet, 'until they change it for themselves.'

10

AN INDIAN RETROSPECT AND SOME COMMENTS

[*The Nineteenth Century and After,* October 1905, pp. 607-20]

In a recent much-criticised speech Lord Curzon took occasion to observe that 'public opinion in order to exericise a vivifying and steadying influence must be suggestive'. Public opinion in India, as in most other countries, must always be the opinion of her educated classes, who, happily, as time goes on and they become better informed, evince a more accurate appreciation of the motives and actions of Government. Unfortunately, owing to the peculiar conditions of the country, in matters affecting the different communities there is great divergence of opinion, although on general questions the uniformity is surprising.

Naturally 'public opinion,' in so much as it prefesses to be the opinion of the general public, is not so effective and does not carry the same weight as it would otherwise, were the nationalities of India more homogeneous or more willing to approach special interests in a spirit of compromise. Under these circumstances the standpoint of an independent observer is often of greater value.

Twenty-five years ago I offered to the public in the columns of this Review 'Some Indian Suggestions for India,' which attracted at the time a certain amount of notice from the authorities here, and which even the Indian Government did not think unworthy of consideration. Many of these suggestions have since been translated into fact, and the country has unquestionably made considerable progress within this period on the lines then forecasted.

A glance at the work done and an attempt to indicate the points

which still require reform or improvement will not, I imagine, be without interest at a juncture when the consolidation of the Empire appears to be a subject of moment, or wanting in that quality of 'suggestiveness' which makes criticism useful.

To judge of the change that has come over the spirit of the administration one has only to look half a century or so back. In 1844 an English writer in the *Calcutta Review* pronounced that 'exposure of evil was the prevailing horror of the Anglo-Indian Government'. This failing can hardly be attributed nowadays either to the Government of India or the provincial Governments, for they often invite moderate and reasonable criticism, and do not allow themselves to be over-ruffled when it is neither the one nor the other. This in itself is an advance which cannot be too highly estimated.

One of the severest indictments framed against the system in force in the middle of the last century was by Sir Henry Layard, traveller, statesman, and diplomatist. Journeying in India in 1858, whilst the Mutiny was still unsuppressed, he described the East India Company's rule in words which deserve quoting. 'We have done nothing,' he said, 'to form a bond of sympathy or to create mutual interests. The people we govern are treated like a distinct race inferior to us. They are excluded from all share of government, they can never rise to anything beyond inferior posts. .. Under it money-lenders . . . make their fortunes and enjoy them ; but the cultivators are reduced to the utmost poverty, our rule having utterly destroyed the native gentry.'

It is a startling thing to say, but it is nevertheless a fact, that from the horrors of the Mutiny came the salvations both of England and India. The downfall of the Company's *regime* and the assumption of the government by the Crown, with the proclamation which ushered it in, marked an unprecedented awakening of the political conscience of a dominant nation ; for England then began to realise her obligations towards the inhabitants of her great dependency, whose safety is now recognised as essential to her own existence as a world-Power. The new system of administration proceeded on different principles, and was based on an equality of rights among all the subjects of a common sovereign.

Twenty-two years later, when I placed my 'Suggestions' before

the public, this recognition had already borne substantial fruit. Offices of emolument and trust had been tentatively opened to the natives of India ; they were represented in the councils of Government, and greater regard was paid to their opinions and feelings on public questions.

The legislation during this period—between 1858 and 1880—save in one respect, had all an ameliorating tendency. The one exception relates to the exaction of Government dues, of which more further on. Since 1880 the country has witnessed still greater changes. In the face of these facts it would be absurd to say [that] the Indian Government has not kept in view the principles and pledges of the Queen's Proclamation. The hand moves slowly, sometimes too slowly, the pendulum oscillates backwards and forwards, but the ultimate trend is in the direction of improvement. Naturally the slow progress does not evoke much gratulation among the educated classes, and the desire to keep them indefinitely *in statu pupillari* is regarded with more than impatience.

Among the subjects to which I had drawn attention in 1880 were the bankrupt condition of Indian finances, the stringency of the revenue laws, and the necessity of improving the status of the peasantry of Bengal and of broadening the Councils. The advance in these directions is most striking.

Public revenues have augmented within the last decade by several millions ; instead of a hopeless deficit there is a real surplus, and that without any substantial retrenchment, and in spite of the creation of new departments. The salt tax, on the onerous nature of which I had ventured to dwell at some length, has been appreciably reduced. Although a part of the prosperity is no doubt due to somewhat uncertain factor, namely, the price of opium, it must be ungrudgingly acknowledged that the financial outlook at present is most favourable. Nor can it be denied that, generally speaking, the resources of India during the last twenty-five years have been carefully husbanded and often strenuously safeguarded, whilst the strong attitude taken up against dragging her into the vortex of the fiscal controversy raging in England shows that her interests will not be allowed to be sacrificed on the altar of 'imperial' policy.

The improvement of the police, which still forms a serious blot on British Indian administration, has been taken in hand ; a depart-

ment of commerce has been inaugurated from which great hopes are entertained for the country; whilst the establishment of a model farm and an agricultural college in the province of Behar is an indication of growing interest in the scientific development of that industry on which the prosperity of India as a whole mainly depends. And the comparatively recent appointments of Inspector-General and Directors of Agriculture point to the same conclusion. When one compares the meagre work performed so far by the Indian Government bureau in promoting agriculture with that done by the similar departments in other countries the contrast does seem remarkable. In the United States the Department of Agriculture collects valuable information from all sides, relating to the cultivation of land, the products suitable for different kinds of soil and the best method of increasing its productiveness, and distributes it freely among all classes. It is hoped that under the new system the agricultural prosperity of India will become an object of solicitude with all classes.

As regards taxation, although its general incidence remains unaltered, in many respects considerable relaxation has been afforded to the tax-paying public. Similarly one observes with gratification the attempt recently made 'to free the land revenue administration from the evils of excessive rigidity,' and 'to introduce in its stead an elasticity sufficient to ensure in times of agricultural calamity that the burdens of the cultivating classes should not be aggravated by any unreasonable insistence on the demands of Government'.

The resolution enunciates an admirable precept, but in the absence of some modification in the law it is permissible to doubt if it will lead to any practical result. Evidently the full effect of the revenue policy of 1859 is not sufficiently realised. I therefore venture to quote my remarks on this subject in 1880:

The rigour with which the land tax is exacted all over India, regardless of all questions of droughts and floods, bad or good harvests, has conducted to no small extent to the present impoverishment of the country. In those parts where the permanent settlement is in force the rule of law is, that in case of a default committed by a zemindar in the payment of the *jamma*, or tax by the sunset of a day fixed, his estate is liable to be sold by public auction. The strict enforcement of this peculiarly harsh rule has acquired for it

the popular designation of the 'Sunset Law'. Anyone who has ever had to deal with its practical working must be aware of the numberless cases of ruin and beggary which have been occasioned thereby, and the infinite amount of trouble it causes to many. . . . A simple direction from the Board of Revenue collectors against the strict enforcement of law, even if it should be considered advisable to retain it on the statute book, may in some degree benefit the people.

A few years ago departmental rules alone might have been sufficient for the purpose of amelioration, but matters have now become distinctly serious. If the realisation of land revenue, irrespective of every consideration of hardship, be not the sole object of revenue administration, if the prosperity of the agricultural and landowning classes be a primary matter for the attention of Government, in that case some further and more effective measure to relax the stringency of the revenue laws seems imperative.

As regards the peasantry of Bengal, the Act of 1885 effected a considerable improvement in their status and condition. But the warning which I gave in 1880, and which I repeated in Council when the measure was under discussion passed unheeded. 'The time,' I had said, 'seems to have arrived when the Indian Government should make up its mind, in spite of the opposition evinced in certain quarters, to confer transferable rights on the ryots holding occupancy tenancies. Care should, however, be taken to prevent the peasantry from being bought out, or swamped by speculative vakeels or greedy bunniahs.' And this is exactly what has happened. In many districts the occupany holders of 1885 have ceased to exist; their holdings have passed into the hands of money-lenders, or mokhtears, whilst they themselves have become degraded to the condition of 'labouring cultivators,' which is a euphemism for serfs.

Again, for an alien Government like the British, the existence of a stable, propertied class whose interests are bound up with its durability and permanences is of vital importance. The necessity, therefore, of taking legislative measures for the protection of such a class from the inroads and money-lenders seems obvious. In Bengal, the zemindars with whom Lord Cornwallis made the Per-

manent Settlement in 1793 soon disappeared, and their places were taken by their servants or by the ministerial officers of the Revenue Courts. The reason of this *debacle* is a matter of history. These, again, have made way for modern money-lenders. Under the existing system there is no stability whatsoever. Families rise to affluence in one generation, in the next they are paupers. In one district alone, in the course of forty years, four families have followed each other in rapid succession in the possession of the same estate. And this is not confined to Bengal. The same process of continuous destruction goes on wherever there is no restriction on the alienability of land. No one, I think, would contend that the present condition of things is conducive to the benefit of Government.

The introduction into India of the principle relating to freedom of contracts without any restriction or qualification, and without any consideration of the peculiar conditions of the country, has been of the greatest disservice to the people. In India, neither education nor intelligence is by any means uniform; the ignorant peasant is hardly able to cope on equal terms with the astute bunniah, or the ill-informed zemindar with the clever mahajan. The disastrous consequences of a rule which has not been successful even in England can easily be imagined.

The reasons which led to the enactment of the Punjab Land Aliention Act apply with equal force throughout India; and its policy may be extended, with great advantage to the people as well as to the Government, to other parts of the country. But in case it may not be considered expedient to introduce a measure of that kind in provinces where the conditions are not similar to those in the Punjab. I would strongly urge that the civil courts should be vested with a discretionary jurisdiction to refuse to put up land to sale in execution either of a decree on a mortgage or of a simple money decree. The property might be placed in the hands of a receiver for the realisation of the debt from its rent and issues; but it should not be sold, unless both creditor and debtor are in accord on the matter. The suggestion does not aim at the absolute prohibition of alienability; its only object is to prevent a sale *in invitum*. As orders of the nature suggested would be subject to revision by the Appellate Court, there need be no apprehension of

an arbitrary exercise of the power to the detriment of any interest. It may be said that such a provision will have the effect of lowering the value of land. The same argument, among others, was advanced against the Punjab Land Alienation Act, but wise statesmanship prevailed against legal quibbles and class interests. If the suggestion is accepted the owner, of course, would be able to borrow less, and the lender would be willing to advance less. But would either be a loser thereby in the end ? The measure would have this beneficial tendency that the land would remain in the same family for generations, and the feeling of security this would give engender would give rise to a true spirit of loyalty and real interest in the development of their property. I remember one instance where the Government of India, by an executive order, set aside a sale, the effect of which would have been to render homeless a large body of proprietors in the Upper Provinces who had held the land for generations. There seems no reason why the principle acted upon in that case should not receive legislative recognition.

At one time the Government made special grants of land to Sepoys of the Indian Army by way of reward for meritorious services. They were meant as permanent provision for the soldiers' families, and under the name of English jageer (in contradistinction to the old Mogul grants) existed principally in the district of Shahabad, whence the Company's Sepoys were mostly drawn After the death of the original grantees, there being no restriction on alienability, the lands soon passed into the hands of moneylenders ; and this was one of the chief causes of the rising in that district.

I would also suggest that the civil courts should be empowered to go behind contracts, and either to refuse to give them effect, or to vary them if upon inquiry they are found to be unconscionable or harsh. This rule has been lately introduced in England. A similar measure seems to me to be urgently needed in India.

In dealing with the causes which lead to the pauperisation of the affluent classes in India, I had omitted to notice one fact, which did not strike me so forcibly then as it does now after an experience of twenty-five years. It is the harassing litigation in which Indian families become involved at some time or other, and from which they rarely emerge without total or partial ruin. It is

an evil that has grown up under British rule, it is fostered by British laws and instituitions. An imperative duty, therefore, seems to rest on the British Government to provide some remedy for it.

In most families, the servants, be they agents, stewards, or clerks, find it in their interest to foment disputes, and to instigate the members to carry their quarrels into courts of justice. Outside stand lawyers of all grades to conduct their cases, and the mahajan to supply them with funds. Wealth soon changes hands, and the rich man of to-day is the pauper of to-morrow. Can any man with the well-being of the country at heart view with complacency this disastrous state of affairs?

It must not be forgotten that whilst in England, besides law, there are other avenues which lead to wealth and distinction, in India, from the circumstances of the British rule, there is practically only one profession in which the rewards are worth striving for. It is not surprising, therefore, that English education has turned all the national energy and intelligence into one groove. The profession of law has thus outgrown the requirement of the country. Within the last twenty-five years, as trade and commerce have developed a new class of cases, which were practically unknown before, has sprung up especially in the chief centres of population. The cases are certain to increase in number, and will in time draw to themselves the talent and application of the legal classes. Litigation likely to cause the disruption of families will cease to be the sole occupation of those who at present, willingly or unwillingly, devote their time and labour to steer it through many channels, and the Government can safely, without fear of raising an outcry, take steps to minimise the evil. If courts of arbitration, as in olden times composed of the most respected members of the native communities, were established for the adjudication of family disputes, and the ordinary courts of justice were to discourage such disputes from being dragged before them, an inestimable boon would be conferred on the people.

In the case of large estates a great deal may be done by the head of the district or of the province. In a country like India such action is invariably welcomed by the people, and should be taken without hesitancy, and without the slightest fear of wounding

susceptibilities or rousing the hostile criticism of any section or class. In a notable instance the interference of the then Lieutenant-Governor was the means of saving a large estate from destruction, and the family from ruin.

In this connection I should like again to call attention to the tax on justice in the shape of court fees, which enables the rich litigant to harass his less-favoured opponent with comparative impunity, and which in numerous cases prevents the poorer classes from seeking redress in courts of law. The stamp duties levied on civil litigation enable the Government not only to meet the entire cost of judicial administration throughout the country, but also to make an annual profit of 62 lakhs of rupees (over £400,000). If any reason of State not clear to an outsider stands in the way of abolishing this anomalous tax, I would suggest that some portion of the surplus might be utilised for the purpose of improving the judicial branches of the public service, which certainly need strengthening and improvement in the matter of emolument and prestige. The administration of justice is the strongest feature of British rule, and forms, in many respects, its greatest claim to the loyalty of the general population. No means, therefore, I submit, should be neglected to enhance its efficiency. A great step in this direction would be gained if district judgeships, instead of being reserved exclusively for members of the Civil Service, were thrown open to barristers of standing and experience.

The Councils, to use the official phraseology, have been 'enlarged,' the element of election, although within narrow limits, has been introduced, the right of interpellation has been given to the non-official members, whilst the practice of indicating the general policy of Government, on certain occasions, affords facilities for calling the attention of the authorities to matters of real grievance which otherwise would either escape notice or be left to irresponsible journalists to ventilate.

In 1880 there were only two Indians on the Viceregal Council. Now there are six. Three, if I mistake not, are nominated, whilst the other three are elected by the Provincial Councils. In these also there has been a proportionate increase of Indians, whilst the principle of election has received a larger recognition. A recent critic of Lord Curzon's policy has said that the elected members

in the Legislative Councils 'sit there merely to play the part of the chorus in a Greek tragedy'. This criticism, however trenchant, is hardly just. The part of the elected members, it is true, is small, but it is certainly not unimportant, for their interpellations and speeches serve to indicate the trend of educated public opinion. The Councils contain great possibilities of development, and will probably in time become transformed into fairly representative bodies. But for that consummation several elements are needed; not merely a large appreciation on the part of the rulers of the altered conditions of India, but also a generally broader conception of civic duties among the educated classes, and mutual toleration and a spirit of compromise among the different communities.

The question of education had during the period under review occupied a large share of attention. Primary education has received generous help, whilst a new scheme has been formulated for giving the State a certain control over the university system. Although the change recently initiated has been severely criticised in many quarters, it is much too early to predicate with any certainty its probable consequences. To an unbiased observer some modification was inevitable; public interest had in many instances been so subordinated to extraneous and irrelevant considerations, that an attempt on the part of Government to obtain a more effective control over the higher education of Indian youth had become almost certain. At the same time it is difficult not to have some sympathy with the general opinion that the preponderance of the official element among the governing bodies of the universities is a measure of doubtful expediency. Personally I think it a mistake to endeavour to educate the youth of the different nationalities of India according to one uniform method. The difference in their ideals, religious standards, and ethical needs makes the task of maintaining the line of advance at an even pace for all the communities well-nigh impossible. For this reason I have consistently advocated denominational universities, and suggested that the Hindoos, Mahommedans and Christians should be educated and trained according to their own ethical standards, the Government if necessary laying down certain rules for 'hall-marking' the products of these universities for purposes of State-employment.

As each community possesses sufficient nucleus for starting denominational universities, no real difficulty stands in the way of giving effect to the suggestion, and I believe that before many years are over the idea will force itself on public attention.

The machinery with which the Government of India carries on its legislative work is of great importance to the people, and they naturally take exceptional interest in its constitution. The Legislative Department, as a general rule, is presided over by an English lawyer of eminence, who starts upon his duties with very little knowledge of India, of her people or her institutions. By the time he begins to gain a workable insight into these necessary elements of useful legislation his term of service expires, and he makes room for someone else equally able and eminent, but equally unacquainted with the country and its requirements. No amount of outside 'coaching' can, under the circumstances, compensate for the deficiency in that essential requisite. The plain course would be, to have at the head of the department a trained lawyer of wide Indian experience, who would bring to his task the combined knowledge of English law and Indian institutions. But in the multiplicity of interests the plain course is almost always the last course which a Government is disposed to take.

The larger employment of the natives of the country in the higher departments of administration is the subject of perennial discussion and constant heart-burning. In 1880 I had ventured to make in this connection certain suggestions which a few years later assumed a practical shape. Since the recommendations of the Public Service Commistton one or two of the higher administrative posts have been opened to Indians. Naturally the educated classes are not satisfied with the advance in this direction. It becomes necessary, therefore, to try to understand from their point of view the real cause at the bottom of this feeling. I may observe here parenthetically that I am not one of those who think that Home Rule for India is within the range of practical politics—certainly not for many years to come; even if the Indian nationalities had attained a degree of solidarity sufficient to make self-government possible, the outside conditions are such as to make the idea seem almost insane, for her safety from foreign aggression in the present condition of the world lies in her connection with England.

And if England is to guard her against foreign encroachment and outside ambition, and assist her in developing her resources and directing the energies of her peoples in the channel of modern progress and eventual unification, Englishmen, soldier and civilian, who give her their services must receive due remuneration for their labour. Nor can anyone expect that England, to use the famous phrase of the Arab conqueror of Egypt, 'should hold the horns of the cow while somebody else milks it'.

Having so far indicated the Englishman's point of view, I now proceed to state the case on the other side. However stationary Indian civilisation may be, the civilised nationalities of India are not behind any Western race in adaptability for progress. In the process of adaptation through which they have been passing under British rule there has been much suffering, the history of which remains yet to be told. Families have been swept away, old institutions have disappeared leaving gaps still to be filled, but they have now reached a stage when it would be idle to hope the country can much longer be governed on the assumption of racial inferiority. Nothing surprises one so much as the light-heartedness with which some Englishmen talk of British rule never becoming popular in India, and the surprise increases when we consider the adulation that is paid to the Colonies. British rule certainly is not popular—that, however, is not the fault of the people; they recognise generally that its permanence is vitally essential to their well-being. But races with a great past behind them can hardly brook to be kept for ever in tutelage, or assent without demur to be stamped permanently with the mark of inferiority. Considering the value of India to England, I think it behoves every Englishman to try to make the role of England popular, and to evoke that spirit of 'manly comradeship' to which reference was made the other day at Cambridge by a distinguished Anglo-Indian.

As English education advances, as qualified and deserving Indians for the service of the State, according to the present standard, increase in number, and as they understand 'those principles of justice and equity which have made the British constitution an example to the world,' the claim to a larger share of offices of trust and emolument—certainly to a large recognition of eligibility—will become more insistent. And wise statesmanship and the

interests of good government will compel attention to such claim.

In saying this I must not be supposed to advocate the exclusion of Englishmen from any branch of the public service in favour of Indians, for I consider the existence of Englishmen in the different grades the official hierarchy, apart from any question of efficiency, as conducive to the maintenance of a wholesome influence on the general *morale* of the administration. And it is for this reason that I deprecate the growing depletion of the English element at the Bar in India. But what I do advocate is that Indians of undoubted merit and ability, of integrity and character, should not be debarred from any office under the State; that no place under Government should be regarded as the peculiar monopoly of any race; and that no distinction should be made in the matter of State patronage on racial grounds. The British Government which stands foremost to-day in the profession of the principles of toleration, equity, and justice, should not in their application be behind the former rulers of India. Under the Mahommedan rule a Hindoo could rise to any position in the State; in the chief Mahommedan principality of modern India a Hindoo holds the office of prime minister. The Hindoo principality of Jeypoor, I understand, employs a Mahommedan in the same capacity. Turkey and Persia send their Christian subjects as envoys to foreign States. There is no reason why the British Government should allow itself to appear as less liberal or less advanced than any Oriental Government. As regards the unfitness of Indians generally for certain offices, it is one of those convenient theories by which vested interests try to protect themselves from outside invasion. Neither the Indian Government nor the Government at home would be a loser by utilising the services or the counsels of competent Indians.

I have reserved to the last the Mahommedan question, which, to my mind, forms to-day, as it did twenty-five years ago, by far the most pressing problem of Indian administration. The Mahommedans constitute without exception one of the most loyal nationalities of India. They feel that their moral and social regeneration, their educational awakening, their material development depend on the stability of British rule. The very circumstance that the British Government is non-Moslem, and is conse-

quently obliged to maintain, in spite of a somewhat nervous dread of the so-called 'orthodox' party, a neutral attitude towards the different sections, is regarded as a strong factor in the advancement of the people. At this moment seventy millions of Mussulmans acknowledge the sway of his Majesty. In another quarter of a century, at the rate at which their faith is spreading, the number will amount to considerably more. This important community—as history goes probably the most important only a short time ago—has suffered the most under British rule. It has steadily declined in wealth, prosperity, influence, and all the elements which conduce to development and progress, and yet there is no indication of a stop in the process of declension. The causes of this deplorable state of things were traced by me in an article which I contributed to this Review in 1882 [1] On the materials contained in that paper the Central National Mahommedan Association, of which I was secretary at the time, presented in 1883 a memorial to the Indian Government. This memorial was finally dealt with by Lord Dufferin in 1885, and the conclusions arrived at were embodied in a resolution which is regarded by the Mahommedans of India 'as their Magna Charta'. But class interests in that country are strong; and the Mussulman generelly is not an adept in the art of ingratiating himself with the official classes. Nor does he possess the means of making his voice heard in powerful quarters. The very fact that he has so far stood aloof from political agitations has caused him a disservice. As a consequence, preferment and honours rarely come his way. In spite of the progress in English education made within the last quarter of a century, their share of public offices is neither comparable to their numbers nor to their legitimate aspirations. If the Government of India were to insist on a strict compliance of the part of the local authorities with the principles and provisions of Lord Dufferin's resolution it would contribute to a material improvement in their position.

But the Mahommedan problem cannot be solved by merely giving them a few more posts under Government. Their ruin as a prosperous and progressive community is due to far deeper causes,

1. In the August number. The article was headed 'A Cry from the Indian Mahommedans.'

and needs far more serious remedies. It began with the confiscations of the Inam Commission in the early part of the nineteenth century ; it has been completed by the recent pronouncements of British courts of justice upsetting one of their most cherished institutions, which is interwoven with their entire religious and social life, and on which rests the whole fabric of their prosperity as a people.

Under the law of inheritance prevailing among the Mahommedans, the property of a deceased person is liable to be divided among a numerous body of heirs. An unqualified application of this rule would mean the absolute pauperisation, within a short space of time, of Mahommedan families, and prove utterly subversive of national and individual well-being. No permanent benefaction nor the continued existence of family influence or prestige, without which progress is out of question, would be possible. Accordingly, it was ordained by the Lawgiver of Islam that a Mahommedan may lawfully 'tie-up' his property, and render it inalienable and non-heritable by devoting it to pious purposes, or, to use the language of Mahommedan lawyers, 'by dedicating it to the service of God, so that it may be of benefit to mankind'. This is the well-known rule of *wakf*, universally recognised and acted upon throughout the Mahommedan world. The endower is entitled to designate any pious purpose or purposes to which it may be applied ; and either to constitute himself the trustee or appoint any other person. Now, the Mussulman law declares in the most emphatic terms that charity to one's kith and kin is the highest act of merit, and a provision for one's family and descendants, to prevent their falling into indigence, the greatest act of charity. Accordingly, family benefactions, or *wakfs*, providing for the maintenance and support of the donor's descendants, either as the sole beneficiaries or in conjunction with other pious objects, have existed for the last thirteen centuries, and all sects and schools are unanimous in upholding their validity. The institution is traced to the Prophet himself, who created a benefaction for the support of his daughter and her descendants, and is, in fact, placed in the same category as a dedication to a mosque. As perpetuity is essential to lawful *wakf*, when it is made in favour of descendants it is often expressly provided that on

their extinction the benefaction would be for the poor. But even when there is no such provision the law presumes that the poor are the ultimate beneficiaries. When the dedication is initially for the maintenance of descendants, provision is invariably made for other pious purposes, such as the support of religious worship, performance of religious ceremonies, and the upkeep of schools and hospitals. From this it will be seen how utterly uncongenial, if not incomprehensible, the Mussulman law of *wakf* must be to an English lawyer. Perpetuity is the essence of Mussulman dedication or *wakf*; perpetuities are abhorred by English law, and any settlement which savours of it is bad on that ground. Charity to kith and kin is the pivot round which revolves the religious and social life of the Mahommedan, and is one of the most pious of purposes to which he may consecrate his worldly goods. To an ordinary English mind, remembering the phrase 'charity begins at home,' it is a matter of ridicule; and to an English lawyer it has an appearance of fraud.

In India numbers of Mahommedan families owed to the institution of *wakf* their existence, wealth, and influence which preserved the properties from disintegration and division, and protected them from the hands of money-lenders. They maintained places of worship, supported schools and dispensaries, and afforded material help to Government in times of stress and difficulty.

The validity of family benefactions was accepted by the British courts of justice until recent times, and eminent judge, like Sir Edward Ryan and others, gave it emphatic recognition. But the knowledge or appreciation of Mahommedan law became rarer and rarer as we approached the 'eighties' and the fetish of the English rule against perpetuities loomed bigger and bigger in the judicial mind. The money-lender, who sits at the gate of every prosperous family, watched his opportunity; whilst the vakeel saw a rich harvest before him ready for his legal scythe. The younger members of the Mahommedan family pledged their right of maintenance to the mahajan, who, on failure of repayment at the proper time, brought the inevitable action to set aside the dedication, and have the share of the debtor ascertained and sold for his debt.

The High Court considered that, not only was he entitled to his money, but that the benefaction was liable to be set aside as

contravening the English rule against perpetuities! The matter came up on appeal, and the Privy Council differing from the lawyers of Islam, who have upheld validity of family benefactions for many centuries, considered [that] the Mussulman Lawgiver could hardly have intended that a valid dedication could be made for the endower's descendants under the name of *wakf*, when no charity was in reality contemplated. It is clear that the whole difference arises from the use of the word 'charity' in the English and not in the Mahommedan sense. The effect of this ruling, which has naturally caused great alarm, not to say resentment, throughout Mahommedan India, has been most disastrous. It has already swept away many Mahommedan families, whilst the few intact are in a state of jeopardy. But what is most deplorable is that in pronouncing against endowments the courts of justice have also invalidated the provisions for auxiliary pious purposes.

The only way out of this *impasse*—the only way in fact by which the further impoverishment and decadence of the Mussulman people can be stopped—is for the Legislature, in their interests as well as in the interest of the State, to validate by special enactment this particular branch of the Islamic law, with any provision it may consider expedient to safeguard against fraud. And the statesman who succeeds in placing such a measure on the statute book will be regarded by a nation as the chief instrument of its salvation.

11

INDIA AND THE NEW PARLIAMENT

[*The Nineteenth Century and After*, August 1906, pp. 254-67]

The Royal visit that has just terminated has probably created a keener interest in the people of India than has been the case at any other period of the history of her connection with England. It seems also to have quickened the sense of duty towards India which lay dormant among the bulk of the nation. This awakening is best evidenced by the attitude of the new House of Commons towards questions affecting India. Hitherto the humour of the general public has been reflected in the appearance of the House on the occasion of a debate on the Indian Budget, by the languid proceedings and the empty benches. If the present interest is of a permanent and abiding character it furnishes a hopeful augury for the future, for, after all, in the words of the late Viceroy. 'the British Parliament is the ultimate custodian of the rights and liberties of India'. The difficulty, however, of obtaining an insight into the inner thoughts and sentiments of the people leads to a slackening of purpose to keep in touch with their needs and requirements, and ends with the feeling that having entrusted the government of her great dependency to a body of experts, England might regard any further responsibility with an easy conscience. To the minds of many it still presents the picture of an easy-going country, run on fixed, generally unalterable lines—the land of pageants and the home of durbars—the bulk of whose people, untouched by the changes in the conception of the thinking classes occasioned by the contact of two civilisations—one old and stationary, the other young, active, and utilitarian

—bow down before the British official as the *avatar* of progress and prosperity. Unfortunately the picture is not altogether complete; behind the stately shows stands a mass of humanity, ignorant, half-starved, ill-clothed, eking out a meagre living from the soil, whose yielding moods depend on the vagaries of Nature. To them, no doubt, the acts of Governments and the merits of their rulers, and the many questions which agitate the minds of their betters, convey little or no meaning. But this apathy or indifference, born of poverty and ignorance, is hardly predicable of all the lower strata of the Indian population. However narrow the horizon, the interest of a large majority in outside affairs is keen. Current events of the village, town, or district are discussed, often with intelligence, always with acuteness: and many of the local incidents frequently become the subject of ballads in which the Indian magnate and the British official are equally held up to ridicule for their different idiosyncrasies, to the amusement of the village gossips.

Seventy years of English education and the gradual diffusion of Western knowledge have created among the more prosperous classes a perception of the responsibilities and obligations of Government, and awakened in them a sense of their rights. However difficult this may make the work of administration, it is hardly possible, even if it were expedient, to alter the current of progress. The great intellectual uprise among the educated sections due to the impact of West and East naturally racts on the masses. And the spirit of collectivism and organisation which has given birth to so many political and semi-political institutions exercises its legitimate influence. The whole continent, with the exception, perhaps, of tracts inhabited by backward communities, is thus in a state of expectation, eager for development.

In view of the altered conditions it seems essential for the welfare of both countries to maintain a permanency of interest in Parliament and among the public in matters affecting India, and to appreciate so far as possible not only the needs and requirements of the people, but also the aims and aspirations of the literate classes. And one may look to the Indian Parliamentary Committee for help towards educating public opinion on Indian affairs. I may be permitted, however, to observe that it would detract from its

influence and usefulness if the Committee were to allow itself to become the mouthpiece of any particular section or class. For it cannot be too often impressed that India is not a homogeneous country inhabited by one race, professing one faith, speaking one language, and animated by one set of ideals. Owing to the unevenness of progress and the unequal diffusion of English education some are less articulate than others in giving expression to their feelings and ideas. Leaving out of consideration the Christians and Parsis, who are comparatively few in number, two great communities, roughly speaking, are in possession of the country. In most instances their interests run on identical lines; in some they diverge. In these cases it is the duty of the statesman to reconcile conflicting aims and aspirations, to infuse harmony among discordant elements, to keep in view the ultimate fusion of two peoples destined to live side by side. To override the claims of either, to allow the voice of the majority to stifle that of the minority, would be a mistake. English education, instead of drawing together the races of India, has unfortunately drifted them apart, and rendered the task of government much more difficult.

No doubt it is hard for an English official, however able and sympathetic, to ascertain the feelings of the masses, or look at things from the popular point of view so essential to a correct perspective. And the most successful administrator is forced to admit a certain inability to gauge the ideas of even the higher classes. Differences of language, manners, and customs are acknowledged barriers to community of thought and social intercourse. The spread of English education has made no difference, and after a hundred and fifty years of rule in the province first acquired by the British, the gulf that divides the rulers and the ruled is as impassable as ever. Whilst much is expected from the fresh awakening of interest in England, no thinking Indian believes that the transfer of the reins of office from one party to another would appreciably affect the general course of policy towards India. The commanding personality of a particular Minister may to some extent lighten the pressure of official traditions, but the atmosphere remains charged with preconceived theories of racial inequality and the unwisdom of relaxing the bonds of tutelage, whilst the Elder Statesmen view with ill-concealed apprehension

any change in the direction of liberalisation.

In grappling, then, with the problems of Indian administration, some essential facts should be borne in mind : the divergence in certain cases between the respective interests of the great Indian nationalities, the growth of nationalism of a somewhat exclusive character in one, the material decadence and political inarticulateness of the other, and the rise of a comparatively new and important factor independent of either.

Few observers can have failed to notice the preponderant influence which within recent years the non-official European community has acquired over the counsels of the Indian Government. Twenty years ago the opinions of the British Indian Association, the Central Mahomedan Association, and similar bodies in other parts of India were regarded as important auxiliaries to official sources of information. To-day that position is occupied by the Chambers of Commerce. The views of the Bengal Chamber of Commerce, for instance, are received with marked deference ; the highest functionaries attend its banquets and expatiate on those occasions on Imperial policy ; and each president, on the termination of his service in the Supreme Council, is honoured with a knighthood. The Chamber, guided by able leaders, is no doubt a source of strength to the Government ; its pronouncements on public questions are generally characterised by breadth of vision and foresight. But instances are not wanting when its views have been distinctly out of harmony with the feelings of large sections of the Indian people.

Hindu nationalism is at present running in two channels, which, it is not at all unlikely, might, under stress of circumstances, coalesce at any moment. The Bharata Dharma Mandal, a purely indigenous growth, the outcome of genuine Hinduism, proclaims for its object 'the regeneration of India' on strictly orthodox and conservative lines. The significance of this movement will be understood from the fact that almost without exception the ruling Hindu chiefs, the *Jagat gurus*, the *Mahants* of the great temples, and the leading priests of the Sikhs, are said to be its 'warm supporters'. The Calcutta *Englishman* sees in the Bharata Dharma Mandal a counterpoise to the National Congress. 'The innate conservatism of the country,' it adds, 'when organised as it is being organised

in this thoroughly represenative Association, will undoubtedly be a great social and political power.' So it may : what the ultimate tendency will be remains to be seen.

The National Congress, on the other hand, owes its origination to an Anglo-Indian official long retired from the public service. It is the exponent of the aims and aspirations that have come into being under the influence of Western education. The chief objection on the part of the Mahomedans to make common cause with 'theNational Congress' is based on the conviction that tied to the wheels of the Juggernaut of majority they would in the end be crushed out of the semblance of nationality.

Whilst the non-official Anglo-Indian and the Hindu communities possess powerful institutions for safeguarding their rights and privileges and asserting their claims to consideration and fairplay, the Indian Mussulmans are suffering acutely from political inanition. Material decadence and general want of touch with modern thought about a deplorable state of disintegration. The associations that exist in different parts of the country possess no solidarity and display no conception of the essential requirements of the community. There is no concerted action to prevent the further decline of their people, to promote their advancement, to place before Government their considered views on public matters, or to obtain relief from the mischiefs arising from the misunderstanding of their laws and customs.

To find one nationality not pressing its claims to an equal recognition of its rights is undoubtedly an advantage ; it saves embarrassment. Thus generally speaking, the Mussulman, whilst he is patted on the back for holding aloof from what is called 'political agitation,' and told to apply himself like a good boy to his books, when it comes to practical treatment is relegated to the cold shade of neglect. Official statistics show that in Upper India the proportion of Mahomedans receiving education is greater than that of their Hindu fellow-subjects. In the other provinces they have admittedly made great progress. And yet in the matter of employment or official recognition they are as unfavourably situated as ever. The reason is simple—they have no political influence. and cannot make their voice properly heard in the council-chamber or office-room.

It must not be supposed, however, that the Mussulmans are devoid of the political instinct or oblivious of the value of collective action. They note as keenly as any other people the signs of the times. And in this lies the seriousness of the situation. In the absence of a recognised organisation, capable of expressing freely and openly the sentiments and opinions of the Mahomedans as a body, the feelings of the masses are likely to take a wrong shape and find outlet through unregulated channels. Lord Ampthill, in his reply to a valedictory address from the Mussulmans of Madras, told them in so many words that as a people they were 'not pushing enough.' 'I think,' he went on to say, 'that it is your greatest fault, and it is also one of your greatest virtues. Most of you are in many respects, most respects, far too modest. You do not push yourselves enough, you do not ask enough, and you do not show yourselves forward enough.' 'Pushfulness, to use a newly coined phrase,' he added, 'can become a fault if it is carried to extremes. But this is an age when everybody is on the alert and active, and it does not do for the Mahommedan community to remain in the background or to keep silence.' Here is the best advice for unity of action and purpose.[1]

Whilst each nationality has its special interests and special points of view, there are many questions which the unanimity is singular and noteworthy. One of these is the relation *inter se* of the two divisions of the Civil Administration, the Judicial and the Executive.

A contest similar to the one recently settled by the new Government in favour of the supremacy of the civil power has existed for years past between these two branches of the public service, in which one has been gaining in prestige and authority to the detriment of the other.

The administration of justice in India supplies to British rule an

1. It may be said that I have overlooked the educational activity of the Mahomedans of the North-West. Far be it from me to discount the life that stirs there or in Bengal. But it is my firm conviction that the community which fails to grasp the political situation or lack the vigour or 'pushfulness' to claim its constitutional rights must, in the long run, go to the wall.

incontestable claim to the loyalty of the people; any policy likely to detract from the status of the judiciary damages the credit of the Government. Instead of maintaining intact its prestige, the tendency, however, has been in the contrary direction. Formerly the district judge occupied a position of pre-eminence in his district. To-day he is completely obscured by the executive officer. In the Mofussil, as the tract outside the presidency towns is called, the subordinate judicial officers scarcely receive, according to their account, anything like the consideration extended to their executive brethren. In the superior courts the salary of the judges[2] has been reduced and their precedence in the official hierarchy lowered, whilst, with the evident object of impressing the Indian public, no measure has been neglected to exalt the dignity of the Executive.

Of the courts in India established by Royal Charter the only one which is not subordinate to the Provincial Government is the High Court of Judicature in Bengal; and its independence has been a fruitful source of friction, but the attempts to curtail its jurisdiction have so far been frustrated by the force of public opinion. The mischievous consequences of any tampering with the powers of the superior courts are obvious, and appreciated by no public body than the Anglo-Indian Chambers of Commerce and the Trades Associations, whose plain-spoken utterances have been invaluable to the public interests.

This brings me to another of the subjects on which there seems to be absolute agreement. One of the anomalies of British administration in India is the combination, even in advanced tracts, in one and the same individual of two distinctly contradictory jurisdictions—the Executive and Judicial. In some parts of the country it is to the advantage of the people that the executive officer should also exercise the functions of a judge, but in provinces like Bengal, Madras, Bombay, the United Provinces, and parts of the Punjab, the system is not only out of harmony with the spirit of the times, but mischievous and irritating, unfair to the officers themselves, and occasioning great hardships to suitors. Apart from

2. 13 Geo. III. cap. cxiii. fixed the pay of a puisne judge of the Supreme Court of Judicature at Fort William, in Bengal, at £ 6,000 a year: it was reduced later on to £ 5,000; now it is barely £ 3,200!

the question whether it is right in principle to give to the magistrate who is charged with the preservation of peace and security in a particular locality the power of deciding criminal cases, or to the revenue collector the determination of revenue disputes between the subject and the Crown, there is the further consideration—does not the system interfere with the efficient discharge of either function ?

I will give just one instance of how harshly the combination of the two powers in one and the same person works in practice. A criminal case was fixed for trial at the chief town of the district (the Sudder station) on a particular day before the principal magistrate. The defendant duly appeared, but found to his dismay [that] the official had left on tour, fixing the case for another day at another place at a considerable distance from the Sudder station. The defendant proceeded to the latter place, only to find that the magistrate had moved on to another camp. This time the defendant could not put in an appearance on the day fixed, and a warrant was issued for his arrest. On an application to the High Court the case was transferred for trial by another officer at the Sudder station. In his explanation the magistrate submitted that in discharge of the executive duties he had to move about the district. His court was thus as ambulatory as his office !

In this connection the question may appropriately be asked, would it not be in the public interest to do away entirely with the judicial powers of the Divisional Commissioners and the Boards of Revenue in question arising under the revenue laws, and leave these to the decision of the ordinary courts of justice?

A wider application of the principles of local self-government, a large recognition of the eligibility of Indians for the higher branches of State service, the expediency of opening the Indian Army as a profession to the sons of the Indian gentry, and of 'settling,' to use the words of a learned Hindu judge, 'the judicial administration of the country on the sounder basis of the consent and approbation of the people to whom the law is administered'[3] —are questions which must sooner or later engage the serious attention of the statesmen into whose hands the destinies of India

3. Mr. Justice Mitra in the *Law Quarterly Review*, January 1906.

are confided.

The management of local affairs by the people themselves is not a British introduction in India. It has been in existence from early times. and was in force under the Mahomedan rulers to a far greater extent than English writers are apt to suppose. Municipal government, even in England, is attended with mistakes; in India they were to be expected. A sympathetic, tactful, and at the same time firm treatment would, instead of marking failure, have led to success. It would have made the respectable sections understand the responsibilities of trust, imparted self-reliance, and trained them to a larger perception of duty as citizens of a great Empire.

It has been sometimes asserted that Indians are unfit for certain offices, and that in certain positions they would not receive the same obedience or deference as Englishmen. This is partly a survival of the old idea which led the East India Company, at the commencement of its rule, to exclude Indians from all share in the Government of the country. Since those days the conception of inequality has become considerably modified. The fitness of Indians for the highest judicial appointments is acknowledged. As regards the inability of members of the virile races of India to command obedience or exact deference, the facts of history disprove the selfish theory. Only this must be remembered; in every country the amount of respect shown to an officer depends upon the consideration in which he is held by his superiors, for the people take him at Government valuation.

What is the reason which closes the Indian Army, as a profession, to the sons of the Indian gentry? The formation of the Imperial Cadet Corps has been rightly treated as a wise piece of statesmanship. It has supplied the scions of princely families with the means not only of learning the value of discipline, but also of indulging a natural taste for pomp and pageantry. The professions of law and medicine are becoming more and more crowded; trade and commerce among the nationalities which possess no commercial aptitude are uncongenial pursuits. In former days much of the energy and activity of the higher classes found occupation and employment in a military career. British policy, by debarring, as a rule, the sons of gentlemen from making the army a profession excepting through the ranks, is slowly emasculating

the virile races of India; instead of making their military predilections a source of strength, it is driving them into unworthy and unhealthy, not to say dangerous, channels. If after one hundred and fifty years' dominance the British Government cannot open the army as a profession to properly selected members of good families, it implies a stupendous confession of weakness.

The strength of a Government consists not only in the confidence of the people in the purity of judicial administration, but also in its efficiency. The British Government, at the very commencement of its ascendency in India, assured to the inhabitants by a solemn Act of Parliament the full enjoyment of their laws, customs. and privileges. The preamble to 21 Geo. III. cap. 70 contains one of the most important declarations of policy, the faithful observance of which is the keystone to the whole fabric of the Indian Empire of England.

After reciting that owing to the 'doubts and difficulties which had arisen concerning the true intent and meaning of certain clauses and provisions' of the previous Act (13 Geo. III), the minds of many inhabitants subject to the Governor-General in Council 'have been disquieted with fears and apprehensions, and further mischiefs may possibly arise from the said misunderstandings and discontents if a reasonable and suitable remedy be not provided; and whereas it is expedient . . . that the inhabitants should be maintained and protected in the enjoyment of all their ancient laws, usages, rights, and privileges,' it proceeded to enact that all actions and suits in the Supreme Court of Judicature at Fort William, in Bengal, 'in the case of Mahomedans shall be determined by the laws and usages of Mahomedans, and in the case of Gentus by the laws and usages of Gentus.'

This principle, in a somewhat amplified form, was extended by 37 Geo. III. cap. ii. to the Supreme Courts of Madras and Bombay. And in 1793 the local Legislature made the rule applicable to the Mofussil for the Bengal Presidency.[4]

Sir Roland Wilson, in the January number of this Review, criticising an article of mine entitled 'An Indian Retrospect and Some Comments,'[5] has made the following somewhat extraordi-

4. Reg. IV. of 1793, s. 15.
5. *Nineteenth Century and After*, October 1905.

nary observation : 'In truth, the whole question of administering Mahommedan law in British India is purely one of public policy. The Government is absolutely unhampered by anything in the nature of a pledge on the subject.' I am afraid the provisions of the statutes to which I have referred must have escaped his notice. The people of India justly regard these repeated declarations of the Legislature as a binding pledge, securing to them the absolute enjoyment of their laws and customs, so long as they were not opposed to any positive enactment or public morality. It must be a surprise to them to be told by an eminent theoretical lawyer of Sir Roland Wilson's standing that the pledge is no pledge.

Whatever may have been the demerits of the East India Company, thus much stands to its credit, that it loyally endeavoured to give effect to the policy of the Legislature. It supplied to the courts of justice the best available means for the ascertainment of the laws and usages they had to administer. Hindu and Mahomedan law officers were attached to every court, whose duty it was to explain to the judge, whenever called upon to do so, the law applicable to the particular case. One instance will show the remarkable care with which the law was administered in the Supreme Court of Bengal. In a case of *wakf*, tried in 1839 before Ryan, C.J., and two other judges, the law officers were required to give their opinion on certain questions propounded by the court, with full references to the authorities and the texts on which they based their answers ; those texts were then compared and translated by the sworn interpreters of the court and submitted to the judges, who based their conclusion not only on the opinions of the law officers, but also on the original texts.

The system continued in force for some years after the Crown assumed the sovereignty of India. But with the establishment of the High Courts a change came over the spirit of the administration. The law officers were abolished in 1864, and from that time every English judge has tried to ascertain the 'law and usages' of the people as best he could. It is not for me to say how the Hindu law has been administered since the abolition of the learned pundits who assisted the courts with their legal expositions (*Vyvashtas*). But it will be generally admitted that the Hindu

community has always occupied a singularly fortunate position in this respect. Works on Hindu law were rendered into English at a very early stage of the British rule; and Hindu judges have presided in the superior courts for a long time past. Unfortunately the Mahomedans have not possessed the same advantages. In Algeria, the French Government, so soon as it acquired the country, set itself to the task of having the most authoritative works on Mahomedan law in force in Northern Africa translated, under official authority, into French. Even the Dutch in Java have pursued the same course. And the translations by Perron and Du Berg are standing monuments, not only of patient industry, but also of deep interest and generosity on the part of the respective Governments.

Of the innumerable works on the law in force among the Indian Mahomedans, only one old recondite treatise, the *Hedaya*, was in the time of Warren Hastings, translated into English from a Persian rendering. Many of its doctrines, or rather expositions, are long since exploded, for the laws of the Mussulmans have undergone the same process of development as every other system of jurisprudence; and yet they are regarded by non-Moslem writers as binding rules. Mahomedan law, it must not be forgotten, is a vast and difficult science, to comprehend its principles, it is necessary to have some conception of the rules of exegesis recognised by Mussulman jurists, and to follow its course of development so as to distinguish between the obsolete doctrines and those now in force—for although the primary rules are to be found in the Koran, or in the sayings and the acts of the Arabian Prophet, the grand superstructure of Mussulman jurisprudence is built on the interpretation and expositions of successive jurists and lawyers of acknowledged authority.

Until a few years ago the translation of the *Hedaya* and two or three non-official compilations by men who were not lawyers themselves, formed the sole stock of Mussulman law in the English language. Under such circumstances, with the disappearance of the law officers, the inquiry into Mahomedan law and usages became a task of unusual difficulty, and its principles began to be interpreted with the gloss of English and Hindu laws. How this method of treatment has led to the ruin and disruption of Mahomedan

families has already been discussed by me.[6] Sir Roland Wilson, in his criticism of my remarks on the Mussulman institution of benefactions (*wakfs*) for the support of families, admits that the courts of justice have done 'a wrong' in declaring against the validity of such benefactions, 'though unintentionally and as the result of quite excusable ignorance'. I have never suggested that the mistake which has resulted so disastrously to the Mussulman community was 'intentional': whether it could have been avoided, or whether the 'ignorance' to which the writer alludes was excusable, are questions I will not enter into. Nor is the period during which this particular rule has been in force relevant to the discussion; if it is the recognised law among the Mussulmans, as my critic admits, the courts of justice are bound under legislative pledges to administer it. As a matter of fact, however, the origin of the rule, by the consensus of Mussulman lawyers from the earliest times is found in the direct prescription of the Lawgiver of Islam.

But Sir Roland Wilson has put forward two propositions on which he contends that the suggestion I ventured to make should not be entertained by the Legislature. His first contention amounts to this: as the same rule against perpetuities which has been applied to Mussulman *wakfs* has been dealt out to Hindu entails without any injury to the Hindu community (which is a pure assumption), there is no reason why it should act prejudicially to the Mahomedans. Even if it were assumed, as Sir Roland assumes, that the Hindus have not been injuriously affected by the English rule against perpetuities, two facts which are absolutely essential to a proper consideration of the matter in relations to the Mahomedans, must be carefully borne in mind. In the first place, the Hindu settlements dealt with in the cases referred to by Sir Roland Wilson were creations of the English system, for in Hindu law, pure and simple, there is no principle analogous to the Mahomedan law respecting family benefactions. And the British courts in deciding against such attempts to create secular perpetuities were not overriding an express rule of Hindu law. In pronouncing against the validity of Mahomedan family trusts, they

6. *Nineteenth Century and After*, October 1905.

acted in direct opposition to Mussulman law. In the second place, under the Hindu law, females take no share in the inheritance, or only acquire an interest in the absence of male issue. Under the Mahomedan law women share in the inheritance; and in every case of intestacy the estate of a deceased person is split up among numerous heirs. Again, the Hindu joint family system, which does not prevail among the Mahomedans, is a great preservative of property even after division. Hence the only method of keeping the family together and preventing general pauperisation lay in the strict observance of the rule of *wakf* sanctioned by the Lawgiver.

Sir Roland's second contention is summed up in the question which he propounds in these words: 'Why should the substitution of presumably more efficient for less efficient landowners be described as a process of destruction?' From this passage it is evident that the learned critic has missed my argument; he has, in fact, mixed up two distinct propositions very remotely connected with each other, founded on two different sets of considerations. One related to the expediency of some check on the constant transfer of land in various parts of India, which paralysed all desire of improvement; the other to the necessity of preventing the further destruction of families whose existence was of public benefit, and added to the contentment of the people. In his criticism Sir Roland has involved himself in a long discussion of abstract economic principles, the application of which, even if they were entirely correct, must depend on the circumstances of the country and the condition of the inhabitants. It is impossible for me in the space at my command to traverse the ground of political economy covered by him. I will only observe that in India, as is generally recognised, the legal system, with its somewhat narrow canons of interpretation, affords no stability to the propertied classes, and the feeling of insecurity it engenders supplies no incentive to development or progress. In the public interests I had advocated some legislative measures to protect the landowning classes from the toils of the *mahajan*, who could only by a stretch of imagination be called an 'efficient' landlord. As regards the destruction of *wakf* estates, there is not even that shadow of pretence. They have been brought to the hammer, not

because the trustees were 'inefficient,' but because the Courts misunderstood the law. These estates were almost without exception well managed, the tenantry were fairly looked after, the charities were properly administered, and in times of disturbance the State was assisted in the way required.

The principal English journal in Bengal, in its issue of the 7th of February, had some trenchant observations on Sir Roland Wilson's economic theories. Referring to the question quoted above, it says :

'An excellent economic dictum, but one which suggests that Sir Roland Wilson, of Delhi, in spite of his extensive knowledge of Indian law and his publications on Anglo-Mahomedan law, has not a very close acquaintance with the hard facts of agrarian and social conditions in India. If it is in the public interest that important landed families should be dispossessed by 'efficient' money-lenders, it becomes difficult to argue against the proposition that the displacement of millions of peasant proprietors is also a national boon. Anyone who took up this position, however, and endeavoured seriously to maintain it, would find himself in a minority of one among all the writers and thinkers on the land question. Alike from the social and political standpoint is the growth of a helot class deprecated, and Sir Roland Wilson, by his pitiless adherence to the theory of the survival of the fittest, raises grave doubts as to his eligibility to discuss the question from any but a strictly theoretical standpoint.'

With regard to the statement that the necessity for legislative action was not felt by the Mussulmans as a body, but was simply my *ipse dixit*, the attitude of the Mahomedans all over Northern India furnishes a conclusive reply. The Central National Mahomedan Association, in its address of welcome to Lord Minto, pointedly referred to the subject as one of the burning questions of the day, the solution of which was vital to Mahomedan prosperity and advancement. In Burmah an association has just been formed for the preservation and protection of Mussulman *wakfs*. which has been incorporated under the Indian Company's Act. In the United Provinces and the Punjab, similar steps are in progress ; and the general sentiment, regarding which Sir Roland Wilson entertains philosophic doubts. is expressed in strong and unmistakable words by such leading organs of Mahomedan

opinion as the *Observer* and the *Paisa Akhbar* of Lahore.[7]

Apart from every other consideration, it would be a mistake, I submit, to neglect the feeling that has been aroused among the Indian Mahomedans by the practical destruction of one of their cherished institutions, with which a great part of their religious and social life is bound up.

But their complaint is not confined to this particular question; they allege, it will be seen presently, not without some justification, that the humanity which has been extended to one class of people is denied to them.

In India Christianity and Islam are the only two religions which draw adherents from other creeds, and conversions to the Faith of Mohamed are generally as sincere as to Christianity. In the Hindu system, from which most of the converts are drawn, under no circumstances whatever can the marriage-tie be dissolved in the lifetime of the parties; there may be the most cogent reasons, physical or moral, for putting an end to the relationship, the law allows no relief in the shape of a divorce or a dissolution of the marriage. However comendable a view may be from a certain standpoint, in practice it is often disastrous. The wife who adjures her old cult and adopts another faith becomes an absolute outcast; her presence in the domestic circle is pollution. The husband who keeps to the worship of his ancient gods may not have any relations with her; if he does, he subjects himself to the same penalties. For the wife there is no release. The hardship of such a rule was appreciated by the British Indian Legislature, and in 1861 an Act[8] was passed 'to legalise under certain circumstances the dissolution of marriages of native converts to Christianity'. It provided that when one of the married parties adopted Christianity, and the other on that ground refused conjugal

7. Sir Roland Wilson's reference to the Dead Hand shows that he has failed to grasp the spirit of the law of *wakf*. The Statute of Mortmain was directed against the conveyance of properties to religious uses to the detriment of society, and this gave birth to the present rule against perpetuities. The Mussulman law seeks to prevent the frittering away of individual resources, which constitute national wealth, and aims at the conservation of property in capable hands for public benefit.

8. The Dissolution of Native Converts' Marriages Act (xxi of 1861).

rights, the convert might sue for restitution; and in case of persistence in the refusal the courts were authorised to dissolve the marriage. The Mahomedans contend that the same humanity should be extended to converts to their Faith. As matters stand at present, the adoption of Mahomedanism involves the greatest risks. Thus the woman who renounces Hinduism for the religion of Mohamed, say from the sincerest conviction, may drag on a degraded existence as an outcast, or lead a life of prostitution; but she may never obtain a release in life from the tie of marriage. If she contracts a legal union in accordance with her new Faith, she subjects herself to punishment for bigamy, and her Mussulman husband to the penalties of adultery.[9] If she has issue by her second marriage, the court brands them as bastards.

Missionary activity has begun to introduce into the relations of family life an element of difficulty which is aggravated in the case of Mahomedans by a misreading of their law. The ancient Moslem jurists maintained that when a Mussulman wife abjured Islam and adopted a Scriptural faith like Judaism or Christianity, the marriage became *ipso facto* dissolved.[10] According to the modern jurists whose authority is recognised in India, the marriage remains intact. The British-Indian courts have, it seems, chosen to follow the old doctrine even where the husband was anxious to maintain the relationship. The unnecessary disruption of domestic peace is naturally regarded as a grievance.

These are some of the problems which, as they do not lie on the surface, may escape notice in the stress of administration. But their importance is great, as they concern the sentiments of the people towards a foreign rule. A particular question may appear to have a special character as affecting one nationality alone, and yet its consequences may be far-reaching, for the relations of the different civilised nationalities of India are so closely connected that the feelings of one react on the other.

9. The maximum punishment for which is two years' hard labour, with or without fine, which may extend to 1,000 rupees.

10. This refers to the Sunni sect, to which the bulk of the Mahomedans in India belong.

12

DAWN OF A NEW POLICY IN INDIA

[*The Nineteenth Century and After*, November 1906, pp. 823-34]

Since the notable Resolution issued twenty-one years ago by Lord Dufferin on the memorial of the Central National Mahomedan Association no more important declaration of policy has emanated from the head of the Indian Government than the reply of the Viceroy to the Mahommedan Deputation that waited on him at Simla on the 1st of October. For although Lord Minto spoke with a certain reserve, which was only natural under the circumstances, there can hardly be any question [that] his words indicate the general attitude of his Government towards the Mussulmans of India. Apart from its importance as a political pronouncement, it shows a clear appreciation of the existing situation and the growing difficulties of British administration, helped by its own extraordinary tendency to lean more or less exclusively on one element in the work of government. It shows, further, that the State begins to realise its responsibility towards the Mussulman people and the unwisdom of overlooking their interests in the multiplicity of claims pressed upon its attention with unvarying persistency by more articulate sections of the Indian nationalities. Hitherto, according to general Mahommedan opinion, the eyes of Government—with a short interlude—have been fixed on one class. Lord Minto's tactful and sympathetic reply bids them hope for a change.

The resolve of the Mahommedans, after a lapse of twenty-three years, again to approach the Viceroy personally points to a consciousness of the danger that lies before them, if they remain

dormant and devoid of political life and activity much longer, of becoming entirely submerged under the rising tide of an exclusive nationalism.

The Deputation is the first concerted action on their part, conceived in a constitutional spirit without implying offence to any other people, to assert their rights to equitable treatment as subjects of a common sovereign—a treatment which certainly from their point of view has so far not been extended to them.

Not that the necessity for such united action did not present itself to them before; for, as early as 1882, it was perceived by the more thoughtful that the course events were taking rendered some collective efforts to safeguard their interests absolutely essential. The increasing preponderance of the majority in all departments of the State, the indifference, not to say intolerance, of the official classes towards Mussulman needs and wishes, their own disintegration in some parts and political inaction everywhere, had almost completely driven them into the background. Although in Upper India the conflict of special interests had not assumed an overt shape, the subsequent controversy about the Urdu language and character, decided by Sir Antony Macdonell against the Mahommedans, showed that even there the balance required adjustment.

To obtain some amelioration of the situation, a scheme was set on foot for holding in Calcutta and other principal cities of India annual conferences of representative delegates to discuss questions affecting the material and educational development of the Mussulman community under the auspices of the British Crown, to advise Government as occasion arose with regard to their needs and requirements, and to give it every assistance in the promotion of the general well-being. Such conferences were not meant to be in any sense exclusive or antagonistic to any other community, but were rather to work in conjunction with other organisations in the advancement of national welfare. The scheme came to naught, owing to the opposition of some leading Mahommedans, whose eyes were fixed in a different direction. Two years later came the 'National Congress,' which, by a vigorous propaganda and the free use of the methods commonly called 'political agitation,' has acquired a remarkable, although

perhaps unacknowledged, ascendency in the counsels of Government. In this it has been greatly assisted by outside help, which has always been denied to the Mahommedans. This denial of sympathy and support to the Mussulmans is due, perhaps, as much to a bias against their religion as to the general lack of the talent to ingratiate themselves with people of influence, whether officials or travelling philanthropists.

Besides the Bharata Dharma Mandal, which ostentatiously proclaim for its object the regeneration of India on strictly orthodox lines, the 'National Congress' is the most active organisation for giving expression to the vast aims and aspirations of the majority. Its sphere of activity is widening in every direction ; it keeps at arm's length uncongenial elements, and suppresses dissent within and unfriendly criticism outside by boycott and denunciations. The goal of the 'Moderates' and 'Extremists,' into which it has been divided by recent political writers, is the same; only the method of reaching it is different.

These remarks are conceived in no unfriendly spirit, for I admire the ability and consistency of purpose which have enabled its leaders to attain its present success and solidarity.

A few Mahommedans have thrown in their lot with the Congress ; and, although they have exposed themselves to some ridicule, their motives are intelligible and not unreasonable. They believe a few scraps to be better than none, and think that under an avowed *regime* of the majority they would have a far better chance than now of sharing in the proverbial 'loaves and fishes'. But so far the bulk throughout the country have held aloof. They have pinned their faith on the permanence of British rule in India as the only means under present conditions of her continuous development,—as the only means to prevent anarchy within or invasion from outside.

Their attitude has been influenced not so much by the exhortations or advice of any particular individual as by the general consciousness that without any positive safeguarding guarantee—which, in view of the exclusive spirit that had sprung up in many quarters, *malgre* the protestations at the top, it was impossible to obtain—the interests of the minority were sure to go under. They felt that their interests were certain to be relegated to the back-

ground, to be treated as of no consequence compared to those of the majority. And this is the view which the Mussulman memorial reflects.

In a State organism principally consisting of two distinct elements, one strong by its number and the general intelligence, ability, and political consciousness of its educated sections, the other virile, animated by those traditions of power and learning which impart backbone to a nation, equally intelligent but lacking the ready aptitude of adaptation and backward in the spirit of organisation and 'pushfulness,' the Government has chosen to leave the less practically active element neglected and depressed. Whether this policy has brought it any strength or earned the gratitude of either party the future historian of India will be able to answer.

By an irony of fate the necessity for a constitutional movement on the part of the Mahommedans to obtain in some measure a restoration of the balance seems at this juncture to be appreciated most at Allyghur. It has taken a quarter of a century to enforce the lesson that, even under fairly progressive Governments, in the struggle for existence and race for progress, no nationality can allow itself to be lulled into sleep without facing the defeat which overtook the hare in the old-world fable.

Barely two months ago I noted in this Review[1] the peculiarly difficult position occupied by the Mussulman subjects of his Majesty :

'Whilst the non-official Anglo-Indian and the Hindu communities possess powerful institutions for safeguarding their rights and privileges and asserting their claims to consideration and fairplay, the Indian Mussulmans are suffering acutely from political inanition. Material decadence and general want of touch with modern thought have brought about a deplorable state of disintegration. The associations that exist in different parts of the country possess no solidarity and display no conception of the essential requirements of the community. There is no concerted action to prevent further decline of their people, to promote their advancement, to place before Government their considered views on public matters, or to obtain relief from the mischiefs arising

1. August 1905, 'India and the New Parliament.'

from the misunderstanding of their laws and customs.

To find one nationality not pressing its claims to an equal recognition of its rights is undoubtedly an advantage; it saves embarrassment. Thus, generally speaking, the Mussulman, whilst he is patted on the back for holding aloof from what is called "political agitation," and told to apply himself like a good boy to his books; when it comes to practical treatment is relegated to the cold shade of neglect. Official statistics show that in Upper India the proportion of Mahommedans receiving education is greater than that of their Hindu fellow-subjects. In the other provinces they have admittedly made great progress. And yet in the matter of public employment or official recognition they are as unfavourably situated as ever. The reason is simple. They have no political influence, and cannot make their voice properly heard in the council-chamber or office-room.'

And I ventured to add:

It must not be supposed that the Mussulmans are devoid of the political instinct or oblivious of the value of collective action. They note as keenly as any other people the signs of the times: and in this lies the seriousness of the situation. In the absence of a recognised organisation capable of expressing freely and openly the sentiments and opinions of the Mahommedans as a body, the feelings of the masses are likely to take a wrong shape and find outlet through unregulated channels.'

In studiously moderate language the memorialists have sounded a similar note of warning:

'The Mussulmans of India [they say] have hitherto placed implicit reliance on the sense of justice and love of fair dealing that has always characterised their rulers, and have in consequence abstained from pressing their claims by methods that might prove at all embarrassing; but, earnestly as we desire that the Mussulmans of India should not in the future depart from that excellent and time-honoured tradition, recent events have stirred up feelings, especially among the younger generation of Mohammedans, which might, in certain circumstances and under certain contingencies, easily pass beyond the control of temperate counsel and sober guidance.'

In spite of the bogey of Pan-Islamism, conjured up by fevered brains, which is responsible for much wild talk in the public

press of England and France, the perspective of Anglo-Indians, officials and non-officials, as regards Mahommedans, has considerably altered within recent years. They are regarded now as one of the most loyal nationalities of India; in fact, their loyalty has come to be recognised as one of the 'bulwarks' of the British Empire. It is felt that to neglect any longer a people which, by its self-control under the most trying circumstances, has shown itself worthy of help and support, would be equally unjust and impolitic.

At this moment a Commission, appointed by the Viceroy at the invitation of His Majesty's Secretary of State, is deliberating over certain proposals to afford a larger scope for the employment of qualified Indians in the higher departments of State service, to further enlarge the Legislative Councils, and to extend the principle of election. All these subjects are admittedly of the utmost importance to the Indian Mussulmans. To have missed the opportunity of representing the Mahommedan side of the question would have been fatal. For no thoughtful Indian, whatever his politics, can believe that the progress of India can be promoted by depressing or keeping in the background one nationality in favour of another.

The memorial presented by the Deputation, although it omits to notice one or two points, expresses in moderate and dignified language the views and feelings of the Mahommedan people with respect to the questions before the Commission. Neither their moderation nor their self-restraint will spare the memorialists from the sectional indignation to which all attempts to seek justice for another body are exposed. But the prayers are so well-founded and legitimate that they cannot fail to command the approval and sympathy of every class interested in the welfare of India.

The memorial presents for the consideration of Government two questions, viz.: (1) the employment of the Mahommedans in the service of the State; and (2) their representation on the Provincial and Viceregal Councils, on the Municipal and Local Boards, and on the Senates and Syndicates of the Indian Universities. With regard to the first they say:

'We beg to observe that the political importance of a community to a considerable extent gains strength or suffers detriment according to the position the members of that community occupy in the service of the State. If, as it is unfortunately the case with the Mahommedans, they are not adequately represented in this manner, they lose in the prestige and influence which are justly their due. We therefore pray that Government will be graciously pleased to provide that, both in the gazetted and the subordinate and ministerial services of all Indian provinces, a due proportion of Mahommedans should always find place. Orders of like import have, at times, been issued by local governments in some provinces, but have, unfortunately, not in all cases been strictly enforced, on the ground that qualified Mahommedans were not forthcoming. This allegation, however true it may have been at one time, is no longer tenable now; and wherever the will to employ them is not wanting the supply of qualified Mahommedans, we are happy to be able to assure your Excellency, is greater than any possible demand. Since, however, the number of qualified Mahommedans has increased a tendency is unfortunately perceptible to reject them on the ground of relatively superior qualifications having to be given precedence. This introduces something like the competitive element in its worst form, and we may be permitted to draw your Excellency's attention to the political significance of the monopoly of all official influence by one class. We may also point out in this connection that the efforts of Mahommedan educationists have from the very outset of the education movement among them been strenuously directed towards the development of character, and this, we venture to think, is of greater importance than mere mental alertness in the making of a good public servant.'

To understand the exact import of this prayer it would be necessary to glance for a moment at the actual position of the Mahommedan element in the various branches of the public service.

Up to the time of Lord William Bentinck, the philanthropic Governor-General who desired to pull down the Taj at Agra, the balance between the two great nationalities was fairly even. Perhaps it inclined somewhat in favour of the Mahommedans. The East India Company had obtained from a Mahommedan emperor the functions of collecting the revenue of Bengal, Behar and Orissa; and, although many changes had been introduced since then in the administration affecting the position of the Mussulmans, the tradition was still maintained that, in view of

the compact of 1765 they were entitled to more liberal consideration than any other community. From 1828 the attitude of Government underwent a change. The result was a gradual depletion of the Mussulman element in all branches of the public service open to Indians. In 1871 the proportion of Mahommedans to their Hindu compatriots in what is called the gazetted appointments was less than one-seventh ; in 1882 it had fallen below one-tenth.

As regards the lower grades the distribution of State patronage bore an extraordinary character. A few figures taken at random will illustrate this observation. In the Foreign Office staff, consisting of 54 officers, only one was a Mahommedan The same was the case in the Home Department staff, composed of 63 officers. In the Departments of Finance and Revenue, formed of 75 officers, in the Comptroller-General's office, with a staff of 63 officers, in the office of the Secretary to the Government of Bengal (General and Revenue Department), with a staff of 90 officers of a superior grade, in the Judicial, Political, and Appointment Departments, composed of 82 officers, in the office of the Accountant-General of Bengal, with 181 officers, not a single Mahommedan enjoyed office. In the Board of Revenue, with 113 assistants, only one was a Mahommedan. Similarly in the office of the Inspector-General of Registration in Bengal there was only one. In the Customs Department, with a staff of 130 principal officers and assistants, the Mahommedans were conspicuous by their absence from the muster roll. In the Preventive Department, in the Calcutta Collectorate, in the office of the Director-General of Post-Offices in India there was not a single Mahommedan. In the Postal Department out of 2.035 officers, only 110 were Mahommedans. In the Telegraph and Public Works Departments none. Out of 421 officers in the Department of Public Instruction only 38 were Mahommedas. In the High Court of Calcutta, out of 298 officers, only 47; and in the Calcutta Court of Small Causes, out of 27 ministerial officers only one was a Mahommedan.

In the Eastern districts of Bengal—viz. Fureedpore. Pubna, Mymensingh, Rajshahye. Chittagong, Midnapore, Rangpore, etc. —the Mussulman population is considerably larger than the Hindu, in some places forming two-third at least of the population.

In the Fureedpore district in 1882 out of a total of 366 Government employees only 30 were Mahommedans. In Mymensingh, out of 344, only 20 were Mussulmans. In Midnapore, out of 499, only 39; in Pubna, out of 205, only 26; in Rajshahye, out of 338, only 57; and in Barisal, out of 423, not more than 36 belonged to the Mussulman community.

Since then English education has advanced by 'leaps and bounds' among the Indian Mahommedans; it would be interesting and edifying to know how, after twenty-one years' working of Lord Dufferin's Resolution, the proportion stands to-day. The official list, which gives the names only of office-holders in the superior grades, is instructive. In the Provincial Service to which appointments are invariably made in India, out of 42 subordinate judges in Bengal, only one, so far as I can see, is a Mahommedan.[2] Out of 75 deputy magistrates in the first four grades, 13 are Mahommedans. In Eastern Bengal, among the 10 subordinate judges. not one is a Mahommedan; out of 19 deputy magistrates in the second, third, and fourth grades, only one is a Mussulman. In the first grade there is not one.

In 1882, out of 261 munsiffs, who rank below the subordinate judges, 14 were Mahommedans. It may well be asked, Has there been any improvement since then?

In the other presidencies the condition is no better.

In the Bombay Presidency out of 18 subordinate judges of the first class only one is a Mahommedan, and that in Sind, which is largely a Mahommedan province. Similarly one lucky follower of Islam finds a place among 22 deputy collectors in the first four grades. In the Madras Judicial Service, out of 165 appointments, 135 are held by Hindus, 26 by Europeans and Eurasians, and only 2 by Mahommedans. In the Executive Branch, out of 23 incumbents in the first three grades, a solitary Mussulman forms the exception. The *Moslem Patriot* of Madras states that in the 'Salt, Abkari, and Customs Department,' where strength of character is more important than University qualifications. 'out of a total of 1,056 officers, 223 are Europeans, 790 Hindus, and only 43 Mahom-

2. In 1882, out of 56 officers, 3 were Mahommedans, 44 Hindus, and 9 Europeans.

medans'. Whilst a Mussulman correspondent in the *Times of India* of the 15th of September points out that out of 225 officers employed in various judicial and executive capacities in the Bombay Presidency only eight are Mahommedans. In the Punjab Provincial Service, out of 44 officers in the first four grades, only 12 are Mahommedans; whilst in the Upper Provinces, out of 44 subordinate judges, only 13 are Mahommedans, and in the Executive Branch of the Provincial Service in the first four grades, out of 51 officers 16 belong to the Mussulman faith.

Among the 'ministerial staff'—the host of assistants and clerks—the disparity everywhere is still more disheartening.

With these facts before us we can hardly wonder at the rankling sense of injustice which, it is useless to disguise, pervades the educated classes of Indian Mahommedans. Many of them have by dint of perseverance and industry acquired the education that has been held out to them as the passport to State employment. Like their more active and 'pushful' compatriots, they entertain the legitimate ambition of sharing in State patronage. Their sentiments naturally affect the feelings of the general body. It is to their credit that they have hitherto abstained from clamour, and so far maintained unshaken loyalty to the British Crown.

A consistent and statesmanlike endeavour, which will not allow itself to be diverted from the pursuit of its object by adverse criticism, to redress the grievances of the classes from whom the public service is, or in the ordinary course would be, recruited, is the only remedy that can satisfy the Mahommedans and restore their confidence in British justice.

This in substance is the prayer of the memorialists. It is neither extravagant nor unfair to any other community. They recognise it is only human nature that men should help relations, friends, and fellow-castemen, and try to hold the door against 'aliens'. The desire for monopoly is not the characteristic of one continent. But they consider it to be the duty of the State to hold the balance regardless of sectional clamour, with even justice.[3]

3. The allegation of the Mahommedans that the unpopularity of the late Lieutenant-Governor of Eastern Bengal was in great measure due to his proclaimed desire to do them justice does not seem to be unwarranted. The avowed organ of the 'National Congress' in London, in commenting on the

As the first step towards the fulfilment of the promise held out to the Deputation, a complete and exhaustive return should be called for, showing the relative proportion of Mussulman employees, save, perhaps, in the menial grades. The return should be submitted periodically to the Government of India and the Home Government. This would enable the superior and controlling authorities to form an adequate idea of the situation, and to keep an eye on the process of amelioration. Heads of departments should be required to deal personally with the applications, and to see that all classes receive fair play. Vacancies, again, should be notified in the provincial gazettes and local publications, in vernacular and English. Above all, I submit, the rules laid down in Lord Dufferin's Resolution should be strictly enforced.

The memorialists have laid great emphasis on the subject of Mahommedan representation in the Legislative Councils. The functions of these chambers have greatly altered within the last few years; the non-official members have obtained the right of interpellation, which enables them not only to indicate the trend of public opinion, but often to call attention to grievances the ventilation of which otherwise would be left to irresponsible journalists. It has also become the practice for Government, at the conclusion of the Legislative Session, to detail, for the information of the Council, its financial and in some respects its general administrative policy, thus giving the members an opportunity for criticism and comment on the measures proposed. A further 'enlargement' of the Councils and extension of the principle of election, with possibly a widening of their functions, are on the *tapis*. Under these circumstances it is of vital importance to the Mahommedans to be properly represented in the Supreme and

well-known Lyon Circular, in which certain rules were laid down for the admission of Mahommedans to public offices, had the remarkable heading for its paragraph 'Religious Test not Merit'; and now an agitation is said to be on foot to get the Circular rescinded. This; I am afraid, is not the spirit which would win the sympathy of the Mussulmans in Congress enterprises; nor does it appear to be in accord with the *modus vivendi* suggested by one of the Congress journals in Bengal for Mahommedan co-operation. One of the suggestions was that 'in any case they' (i.e. the two communities) 'should never cry out when any undue favour is shown by Government to either of them'!

Provincial Councils.

The memorialists do not appear to overstate their claim when they say that 'in any kind of representation, direct or indirect, [the share accorded to the Mussulman community] should be commensurate, not merely with their numerical strength, but also with their political importance and the value of the contribution they make to the defence of the Empire; and that in this connection due consideration should be given to the position which they occupied in India a little more than a hundred years ago, and of which the traditions have naturally not faded from their minds'.

The general interests of the different nationalities of India under British rule are identical, but the Mahommedans have special interests besides; and their claims with regard to these can be represented in a satisfactory manner only by competent men of their own faith enjoying the confidence of the bulk of their people. Hitherto, with very rare exceptions, Mahommedan members have been nominated by Government. Considering the difficulties which surround the task, it must be admitted the selections have, on the whole, been remarkably successful. But it cannot be denied that under the system of nomination the representation of Mahommedans has by no means been adequate. In the Legislative Council of Bengal, if I am not mistaken, there are seven Hindu members to two Mahommedans; in the Legislative Council of the United Provinces five Hindus and two Mahommedans; in the Legislative Council of Bombay, nine Hindus and Parsis and two Mahommedans. In the Madras Legislative Council, out of twenty members eight are Hindus and one a Mahommedan.

The reply of the Viceroy gives the Mahommedans the assurance that in the remodelling of the constitution their claims to proper representation would be fully borne in mind. It is therefore necessary to consider how that object can be best attained. With the extension of the principle of election the position of a nominated member could hardly fail to become invidious; his opinions and his vote would be discounted as that of a Government nominee. The memorialists have pointed out with conclusive force that, to leave the election of Mahommedan members in the hands of electoral bodies as at present constituted, would reduce the principle to absurdity. The only possible solution—the only means, in fact,

of ensuring the proper and fair representation of the Mahommedan element in the Viceregal and Provincial Councils—is by confiding to the several communities the election of their own representatives. Any other system would land the State in confusion and leave the Mahommedans stranded.

Whilst ordinarily the choice of representatives should be left to the two communities separately, the power of nomination should be retained for remedying the balance whenever occasion may arise for its exercise.

The election of members for the Provincial Councils should, I submit, be confided to the following classes of individuals:

(*a*) Mahommedan members of the district and municipal boards, members of the learned professions, merchants, and persons holding office under Government with an emolument of more than a hundred rupees a month.

(*b*) Pensioners drawing an allowance of not less than fifty rupees a month.

(*c*) Persons deriving a permanent income of a hundred rupees a month from house or landed property.

(*d*) Graduates of the Universities of five years' standing.

(*e*) Oriental scholars who have held scholarship of fifty rupees a month not otherwise disqualified.

(*f*) Holders of any title or distinction from Government.

With regard to Mahommedan representation in the imperial Legislative Council, the memorialists make an important submission. They urge that the proportion of Mahommedan 'representatives should not be determined on the basis of the numerical strength of the community, and that in any case the Mahommedan representatives should never be an ineffective minority'. And they suggested that the election should be entrusted to an electoral body composed of 'Mahommedan landowners, lawyers, merchants, and representatives of other important interests of a status to be determined by Government, Mahommedan members of the Provincial Councils, and Mahommedan Fellows of the Universities'. To my mind it would be simple, certainly less complicated, to leave the election in the hands of the Mussulman members of the several provincial councils, but the field of selection should not be confined to their own body.

These suggestions are submitted as mere tentative hints for the consideration of the Commission to whom has been confided the task of devising a practical scheme which would safeguard the interests and satisfy the reasonable aspirations of all communities. In the decision regarding the proportion in which the different elements should be represented, a variety of considerations will naturally enter. At a time when unrest and excitement in one province which has derived the greatest benefit from British rule wears the appearance of developing into strife and disorder, the qualities of self-restraint, of a spirit of compromise and some conception of the limitations to political activity will probably not be overlooked.

The election of members to the Councils does not offer to my mind the same difficulty as that to the District and Local Boards, which, to use the language of the memorialists, form, as it were, 'the initial rungs in the ladder of self-government'. Hitherto Mahommedan representation on these bodies has been to them a constant source of heart-burning. And it will continue to be so until the proportion of members from two communities is definitely fixed, and the election left to them separately.

The memorialists have put so clearly the case of the Mahommedans as regards representation in the public services, the Councils, and the local bodies, that it may appear somewhat ungracious to call attention to what seems an omission. For there is no illusion in the memorial to the defective administration of Mahommedan law in the British-Indian Courts of Justice. The appointment of qualified Mahommedans to the High Courts of India is unquestionably a matter of importance: and the memorialists are right in their contention that, having regard to the fact that learned Bengali lawyers sit on the bench in the Punjab Chief Court and High Court of Allahabad, there is no reason whatsoever against taking a competent Mahommedan from the Punjab or Allahabad to the other provinces, and *vice versa*. Nor ought it to be overlooked that the community of language, sentiment, and traditions places the Mahommedans of the different provinces on a common platform, and constitutes them in an emphatic sense one nationality.

But in my opinion the proper administration of Mahommedan law will not be placed on a satisfactory basis until there is a

large increase in the number of Mahommedans in the ranks of the subordinate judiciary.

Twenty-four years ago, in connection with these self-same questions, I ventured to make in the columns of this Review the following remarks:

'The depressed and despairing condition of the Mahommedans demands the serious attention of Government, and should not be dealt with longer in the *dilettante* way which has hitherto been the fashion, but in a real earnest manner. A nation consisting of upwards of fifty millions of souls, "with great traditions, but without a career," deprived by slow degrees of wealth and influence by a policy of mistaken sentimentalism, mixed with a contemptuous disregard for popular feelings, must always constitute an important factor in the administration of India. It is this factor which cannot be ignored, and which must be taken into account by Government in all future projects for the well-being of India.'[4]

To-day the most influential organ in the English press repeats the warning in stronger language:

'We have now reached a stage where assurances will be quite valueless unless they are backed by deeds. If the Indian Government does not retain the confidence of loyal minorities by a steady and consistent policy, then, in words recently quoted in our columns, we may expect to see the Mahommedans "either join the Congress or set up a second agitation of their own".'[5]

The eventual success, however, of the constitutional movement inaugurated by the Deputation rests on the Mussulmans themselves and their prominent men. Occasional and sporadic efforts of this kind will lead to no permanent result. Measures change with men. To watch over the development of the Mahommedan people, to protect their interests, to see that their claims to equitable treatment are not neglegted, to work loyally with the Government, and, in a spirit of fairness and compromise, with

4. *A Cry from the Indian Mahommedans,* August 1882. According to the last census, the Mahommedan population directly subject to British rule exceeds sixty-two millions.

5. *The Times,* 25 September 1906.

all other communities in the promotion of the common welfare, they should have permanent and influential associations in every district and in every province acting in conjunction with and under the guidance of a central organisation located in some place like Allyghur, which focuses at this moment the intellectual life and political activity of the Mahommedans of India.

13

AFGHANISTAN AND ITS RULER

[*The Nineteenth Century and After*, January 1907, pp. 42-51]

The coming visit to India of Ameer Habeeb-ullah again brings into prominence the relations of the Indian Government with the ruler of the Afghan State, and suggests the question whether the time has not arrived for a revision of the existing engagements in order to place those relations on the solid basis of mutual trust. For, however much we may regret the fact, it cannot be denied that our policy towards Afghanistan has not been so definite or so clear as to leave no room for doubt or misapprehension on the part of the Ameer.

No one underrates the value of firmness in international politics, especially with regard to a State over which we exercise a controlling influence, but minatory language without any real necessity, mistrust when sound policy required confidence, a constant suspicion that Afghanistan may prove a frail reed to rely on —do not seem to anybody watching the course of events from an independent standpoint, as the proper method of dealing with a sensitive nation.

I do not hold a brief for the Ameer; my object is to present the other side of the question in what I conceive to be the true interests of the British Empire, in the hope that the point of view of an independent observer may have its use in looking at the general question.

The present ruler of Afghanistan is still under forty. Without his father's severity, he combines much strength of character with a benevolent and kindly disposition, which has been construed by

some of his critics into weakness. He is conversant with several languages, including English, all of which he speaks with fluency. He is well-read in the history, literature, and traditions of Islam, and is thus able to hold his own against any of the *mullahs* or priests of his country. From all accounts he is neither an obscurantist nor a bigot, although like Western sovereigns he has to keep in check any personal latitudinarianism out of deference to the prejudices of his people. He has a fair knowledge of contemporary history, and is said to have watched with peculiar interest the struggle between Japan and Russia.

In 1884, I met, during a visit to Karachi, a notable figure in Afghan history—Sirdar Shere Ali Khan, ex-Wali of Candahar [*sic*], who only a short time before had been expelled from his principality by the Ameer Abdur Rahman. Afghanistan was still in a chaotic condition; the tribal organisation was still unbroken, and many of the chiefs who had been driven out of the kingdom still entertained hopes of re-entering the country. The prospect of Abdur Rahman ever seating himself firmly on the throne so as to pass it quietly to his successor was uncertain. In a long and interesting conversation on Central Asian politics, the expelled Wali, who bore no love to Abdur Rahman or his sons, ventured on a prophecy which subsequent events have largely verified. Habeeb-ullah was then a mere lad, but the Wali observed [that] if the young lived and succeeded his father he would be the means of making the rulership permanent in his family, 'by removing the evil effects of his father's reign, as he was a youth endowed with discretion and merciful nature'.

An interesting work[1] published a short time ago in India by a Mussulman scholar in close touch with Afghan notables and conversant with Afghan politics, gives a good account of Ameer Habeeb-ullah's early education and general bringing up. Specially trained by Abdur Rahman in the work of administration, he served an efficient novitiate before he was entrusted with the Regency during the late Ameer's absence from Kabul. For eight or nine years he was practically associated with his father in the

1. *Nairang-i-Afghan* (Afghan History), by Syed Mohammed Hossain Aghlab, 1904).

task of government. He thus brought to the throne an experience rarely vouchsafed to Oriental sovereigns. The goodwill and confidence of a ruler of this stamp, apart from every other consideration, must be of value to us in our dealings with a State within our exclusive sphere of influence. But when we look at the authority he weilds over his own people, the necessity of cordial relations becomes doubly apparent.

On his deathbed Abdur Rahman had nominated Habeeb-ullah Khan as his successor, and this nomination was accepted by all the members of the family, the nobles, the functionaries, and the *mullahs* present. On the day following his death, the ceremony of *baiat* was performed and the oath of allegiance was formally taken by the people. To understand the significance of this ceremony and the sacramental character of the oath taken on the occasion, it is necessary to bear in mind that generally speaking the right to the throne in Mahommedan countries is based partly on succession, partly on nomination, and partly on the oath of allegiance—which is a survival of the old republican idea of election. The sovereign must belong to the ruling family; in Turkey he must be a descendant of Osman; in Persia of Agha Mahommed Khan Kajar; in Afghanistan, of Dost Mahommed Khan Barakzye. Ordinarily the eldest surviving male member of the royal house is entitled to succeed—a custom borrowed from the practice of the Arabian tribes in pre-Islamite times. But the rule has no sanction in the laws of Islam. The reigning sovereign has thus the power to set aside a senior member of the family who happens to be incompetent or physically or mentally unfit, in favour of a junior. It is apparently on this principle that Sultan Abdul Hamid proposes to pass over his cousin Reshad Effendi, who is said to be suffering from a serious malady, and nominate his own son, a young man of considerable energy of character, for the succession to the Sultanate.

In theory, family descent and nomination are not sufficient to absolutely legitimatise the title until the oath of allegiance has been taken. The *baiat* is a sacramental function; and in former days was an act of great solemnity. At the seat of government the oath was taken 'on the hand of the sovereign'; in other places, the chief functionary acted as his proxy, And anyone who forswore his

oath and rose in revolt placed himself beyond the pale of the law.

Nowadays in Turkey and Persia the performance of the *baiat* has become a formal ceremony; and, generally speaking, only the chief functionaries, the great nobles, and the *Ulemas* take the oath on their own behalf and that of the people.

So long as the Caliphate of Baghdad was in existence, the great potentates of Asia and Egypt scarcely ever resorted to popular *baiat* for the legitimation of their title. The investiture they received from the Caliph affirmed their right to the allegiance of their subjects. When the Ottoman sovereign took over the Caliphate they claimed the same powers and privileges as the Caliphs of Baghdad and the titular pontiffs of Cairo, and their claims were mostly admitted by the Sunni princes of Central Asia.

Nothing proves the genius of Ameer Abdur Rahman so much as his appreciation of the altered circumstances of the Mahommedan world. No such sanctity as attached to the Sufi monarchs of Persia or to the children of Osman belonged to his line; they had not even the pretensions of the Kajars; the Barakzyes were only as any other among the many tribes of Afghanistan. There was no central authority, as in the days of the Abbassides, to legitimatise in the eyes of his people his sovereign rights by formal investiture. And even if recognition by the Ottoman Caliph would have been helpful to him in validating his title in the Sunni world, it would certainly have given offence to a powerful and suspicious neighbour, who would have perceived in his act the bogey which is, at this moment, frightening the nations of Western Europe. He saw that the stability of his family and the safety of his kingdom rested on the wholehearted acceptance of him by the nation as their chosen sovereign. Whether the Agreement which the chiefs, nobles, *mullahs*, and people of Afghanistan presented to him was their spontaneous act or whether some impetus was not given to it from above, it marks a turning-point in the history of that country. That compact between people and sovereign and the subsequent conferment on him by the Afghan nation, without, so far as one knows, one single dissident voice, of the title of *Zia-ul-Millat w'ad-Din*[2] absolutely

2. 'The Light of the People and Religion.'

legitimated his rulership. In political history these two events point to the emergence of Afghanistan from an inorganic into an organic state.

The compact consists of five clauses. The first clause describes the beneficent character of his rule, the benefits he had conferred on his subjects, the order and safety that prevailed in the kingdom, and then goes on to say :

> 'We, your faithful subjects, have unanimously thought fit that the title of the "Ameer of the Moslems, the Light of the People and Religion," should be added to your other titles, and with this prayer we bring to your Majesty the insignia which we have prepared for your gracious acceptance.'

The second refers to the demarcation of the boundaries of Afghanistan under Abdur Rahman's rule which removed all causes of dispute with other States, and

> 'which are like the four walls of our house for the safeguarding of our independence, religion, honour, and safety. . . . For this, we, your faithful subjects, are everlastingly grateful; and we regard our land as sacred and bind ourselves to defend every inch with our lives.'

The third refers to his administrative arrangements, to his patronage of qualified and worthy people, the suppression of disorders, the expulsion of evil-doers, and goes on to say:

> 'We consider these arrangements are conducive to our good, and we accept them with all our hearts, and we shall always be ready to sacrifice our lives for our king, and shall never refuse him our loyal obedience.'

The fourth, after referring to the justice, peace, and order he had introduced into the country, proceeds thus:

> 'We, the people of Afghanistan, enter hereby into this solemn pledge that we look upon you as our rightful sovereign and regard ourselves as your faithful and loyal and devoted subjects, and we bind ourselves that among your noble descendants whomsoever you should select to succeed to the throne we shall obey him with loyalty, faithfully and devotedly, and should anyone from among the tribes of Afghanistan or elsewhere think of rebelling

against his authority, we shall consider his punishment as a religious duty, and for the true fulfilment of our pledges we offer the guarantee of the Almighty and His Prophet.'

In the fifth they bind themselves to provide one man out of every eight able-bodied males for military service.[3]

The importance of this document is not confined to Afghanistan; it has a significance for India also. It shows that henceforth the Indian Government in its dealings with the Afghan ruler is not concerned with the head of a particular clan or tribe who enjoys for the time being the support of other tribal chieftains, but with a national sovereign with the people at his back. The innate patriotism of the Afghan, instead of being desultory and disperesd, now centres in the throne of a prince accepted of the nation. It is a matter for regret that, instead of welcoming the consummation as a source of strength to the British Government, some of us should view it with suspicion. To politicians and publicists of this frame of mind, a disintegrated, disorderly Afghanistan offered better chance to England to maintain her supremacy. This somewhat sinister idea is expressed in the most recent work published in England on Afghanistan.[4] Whilst recognising the great change that has taken place within the last quarter of a century 'in the controlling forces in Afghanistan.' the author observes with some *naivete* :

'It is to us not a matter of gratification altogether, for it merely shows that the tribal leaders of noble families have lost their influence, that they can no more sway factions or parties in the population, and that power in Afghanistan is being gradually centralised around the Ameer in a circle of officials which is controlled by the Mullahs.'

With reference to this it must be observed that wherever religion forms a part of national life, the priestly class must exercise a great influence; even in Western countries where religion is kept more or less in the background, the clergy occupy a commanding position in society and politics. In Afghanistan, with all their

3. The *Nairang*, p. 182.
4. *Afghanistan*, by Hamilton Angus.

narrow learning and limited horizon, they form the best educated section of the population, and are naturally regarded with respect amounting in places to veneration. And Habeeb-ullan Khan, who is more of a scholar than his father, pays them a certain deference. But he has made no endeavour to withdraw the curb the late Ameer had placed on their pretensions; and their political influence is no greater than in the preceding reign.

How Abdur Rahman reconciled the assumption of the title of 'The Light of the People and Religion' which the nation had bestowed on him with his spiritual allegiance to the Ottoman Caliph, it is difficult to say. But the fact shows that even in Afghanistan the people and their leaders are prepared for political development. The place which the late Ameer had won in the hearts of his subjects by his devotion to their interests is now held by his son, who has received from them the title of *Siraj-ul-Millat w'ad-Din*.[5] Such is the ruler whose visit to India is looked forward to with interest and curiosity by all who consider the predominance of England in middle Asia vital to the British Empire; they feel that we cannot afford to do without his confidence in the disinterestedness of our policy, or let him imagine that we do not trust him. He has been called foolish, bigoted, contumacious and what not. If the facts are carefully examined, it would be found that like his father he has behaved, in circumstances of great difficulty, with singular circumspection, and maintained unswerving fidelity towards the Indian Government.[6]

How deeply Abdur Rahman felt the suspicion of the Indian Foreign Office is clear from his own writings. In a letter[7] to a friend in England, written in 1894, he speaks with much bitterness of the attempts that were being made by interested parties to sow the seeds of quarrel between India and Afghanistan, and repudiates vehemently any thought of a breach of faith on his part.

Another cause of constant irritation to Abdur Rahman, as the author of the *Nairang* observes, was the somewhat unsubstantial

5. 'The Lamp of the People and Religion.'
6. The *Nairang* deals very fully with this subject.
7. A facsimile of this letter was printed in the *Asiatic Quarterly Review* for October 1894.

character of the guarantee by the Indian Government in case of an unwarranted attack on Afghanistan. There were two treaties with him; both contained an engagement to that effect on the part of England. On three occasions the worth of the assurance was tested; on three occasions Afghan territory was invaded and Afghan troops massacred. In no instance did England, the custodian of the foreign relations of Afghanistan, obtain any redress for the wanton aggression. Are the Afghans unjustified in thinking that the so-called guarantee is deliberately vague to suit English policy? The Afghans are no fools; they probably see as far as most people, and naturally think that if their existence as a nation has an eventual value it should be guranteed without reservation. That was the animating purpose of Abdur Rahman's whole reign; and that seems to be the object of Habeeb-ullah Khan's policy. Twice the late Ameer visited India at the special invitation of the Indian Government; and on both occasions he appears to have carried away the impression that he was a mere pawn in a selfish game. It is to be hoped that this will not be the impression which will be created in the mind of his son.

In the treatment of the Afghan problem two conceptions seem to play an important part. One is the idea that as the Afghan State is a creation of the British Government any deviation from the course chalked out for its rulers by Anglo-Indian officials is tantamount to ingratitude and treachery. The other is that the Afghan character is innately treacherous and that, therefore, no trust can be reposed on Afghan promises. These two ideas frequently find expression in language little calculated to win the good-will of a high-spirited people. The late Ameer was fully cognizant of these influencing factors, and there can be little doubt that his successor is aware of them. Apart from the impolicy of the accusations, a word may be said regarding the accuracy of the facts on which they are based. Long before Abdur Rahman had been invited to Kabul by the British Government, he had indisputably acquired a strong footing in Northern Afghanistan, and been accepted as their ruler by a large body of the people. When the British addressed themselves to him he was the only possible man to take charge of the derelict kingdom of Kabul. The acceptance by Abdur Rahman of the British invitation furnished to the

Indian Government an escape from a peculiarly difficult situation. It is doubtful if any question of gratitude arises under these circumstances. It was a matter of mutual interest, and Abdur Rahman recognised that his future lay in absolute fidelity to his pledges to the Indian Government.

The other idea that the Afghans are innately treacherous sprang from the fate of the British Envoy in the first Afghan war. If the history of Indo-Afghan relations since Elphinston's mission were written without bias we should probably find that the Afghan nation has been greatly misjudged; that the rising which engulfed the British troops was due to popular fury at the desecration of their hearths and homes and not to fanaticism as is commonly supposed. To the British Envoy, who disregarded all warnings of the coming storm, history has been most lenient. Whilst negotiating with the Afghan chiefs for a safe convoy to India, he offered a reward for the head of their principal leader—a direct incentive to assassination. He fell into the trap he had himself devised; and paid with his life for his misguided diplomacy. So far as treachery is concerned, there is little to choose on either side.[8]

The time has arrived, I submit, for discarding these ideas which have done so much harm in the past. Lord Minto is fortunate in the opportunity afforded to him of winning the confidence of the Ameer by personal converse; of pointing out to him the way by which he can further develop the resources of his kingdom and make it march on the lines of modern progress. The extensive tour arranged for him, the preparations made to impress him with the power and greatness of the Brittsh Empire, indicate that the Indian Government does not under-estimate the importance of Habeeb-ullah Khan's visit. But no amount of spectacular display will attain the object principally in view unless measures are taken to place Indo-Afghan relations on a clearly defined basis in which mutual trust should form the dominating element.

A strong Afghan kingdom united by intimate ties with British India is of the utmost importance to the permanent security of England's Asiatic Empire. The idea that the Anglo-Japanese

8. The curious reader will find an interesting article on the diplomacy of the time in the *Calcutta Review* for 1850, vol. xiv, p. 296.

alliance renders it unnecessary for India to take measures for her safety, or that Russia's internal preoccupations remove all danger, I consider fantastic—as fantastic in fact as the dream of a real, working Anglo-Russian *entente* applicable to the near or middle East. The lessons of history teach us that like causes almost invariably lead to like results; that two nations whose interests do not always run on the same line, whose political and moral ideals are dissimilar, must at some time or other, in spite of a superficial identity of religion or civilisation, come into conflict. Ameer Abdur Rahman, who was better acquainted than most men with Central Asian politics, firmly believed in a collision, soon or late, between England and Russia. Such also was the conviction of Sirdar Shere Ali of Candahar [*sic*] and such is the apprehension of most Indians whose minds are not warped by theories and who remembes the hand Russia had in working up the Mutiny.

Whether the conflict will take place over Persia or Afghanistan is a matter of small concern. What fate hasi n store for the former country, it is difficult to tell. After centuries of stupor she is awakening into life. Her new 'Parliament' has been ridiculed; her efforts to breathe under healthier conditions are viewed with indifference. The Persian National Council does not even receive the credit so lavishly bestowed on the suppressed *Duma*. It has proved its patriotism and a knowledge of the trend of events by refusing so far to sanction the joint loan offered by England and Russia. And now it is proving its political insight by discharging the arrears of pay to the troops by a national subscription. Russia, with General Ignatieff as her instrument, helped in suppressing the Turkish Parliament. Whether the Persian Parliament will be allowed to exist when there is a question of loan involved remains to be seen. Afghanistan has so far avoided the entanglements of 'loans'. Her foreign relations are in the charge of a great Power, which avoids complications. Even the unwillingness of the ruler to open the country to railway enterprise or to grant concessions to outsiders for purposes of exploitation is not without a certain advantage. It prevents all the trouble which besets most other Oriental countries overrun by foreigners.

Our first effort, then, should be to win the entire confidence of

our visitor, and to disabuse him of the idea of any *arrier-pensee* on our part. No Afghan is free from that idea : mistrust on one side breeds suspicion on the other. As we do not fully trust them, they imagine that the Indian Government has some design which is kept in the background, and the frequent talk about spheres of influence in Persia and the joint offer of the loan add to their mistrust. Again, the fact that in spite of the 'Dane' Treaty we do not accord to the Ameer the coveted kingly title is regarded as a proof of insincerity.

The position of Habeeb-ullah Khan, as already pointed out, is very different from that of the Ameers who preceded Abdur Rahman. Though his kingdom is smaller and he has an engagement with England which controls his relations with other foreign States, his hold and his influence over his people are greater than even that of Ahmed Shah Durrani. The kingdom is better organised, the tribal chiefs in better order than even under that monarch. Dost Mohammed Khan had modestly declined the designation of Shah offered to him after the battle of Candahar [*sic*] when he overthrew Shah Shuja and his British auxiliaries. Abdur Rahman and Habeeb-ullah have both been acclaimed by the people as their legitimate rulers. It would be a graceful concession to the sentiments of the Afghan nation if we willingly regularised his status by according to him the kingly title. It would probably pave the way for a friendly discussion of other and more important subjects. But the two questions which will, in all probability, occupy the serious attention of the Viceroy and the Ameer are those relating to the import of arms by the Afghan Government through British territories, and the guarantee to Afghanistan against outside attack. The one hinges on the other. The Afghan ruler wants an absolute guarantee, an assurance of help, in case of an unprovoked attack, not hedged round by qualifications or reservations. Is there any reason for not revising the old engagements so as to make the guarantee more effective in Afghan eyes? Again, would it not strengthen our own position in Afghanistan?

The Ameer must be perfectly aware of the fact that his country cannot safely do without the support and protection of England. In these circumstances it cannot be difficult for statesmen to devise an arrangement that would satisfy both parties.

If a well-ordered and well-organised Afghanistan is necessary to India, the import of arms by the Afghan Government to keep its troops in a proper state of efficiency seems equally necessary. Either that country must be sufficiently strong to serve the purpose towards which our policy is directed, or it must not. The latter view, though intelligible, may be regarded as beyond the range of practical politics. Inadequate preparation on her part to meet the danger we apprehend is almost worse than none—for it gives rise to a false sense of security. So long as Afghanistan is faithful to her pledges, the solution of the question ought to offer no difficulty. In all probability, when the Ameer is convinced of the straightforwardness and disinterested character of our policy, he might be inclined to withdraw his father's restriction on the use by his subjects of the Chaman Railway.

But it seems more than doubtful whether, under present conditions, he would entertain the project of organising his military resources with the help of British agency. The introduction into the country of British officers on any but an inconsiderable scale will be viewed by the people as part of a sinister design on their independence and will be resented accordingly.

The late Ameer did not favour the idea of sending young Afghans to Europe for education; he considered, not without reason, that, left to themselves, they imbibed with much that was wholesome a good deal that was not salutary to their moral development. Habeeb-ullah Khan does not, if report speaks correctly, share his father's extreme views; and, although anxious to promote education among his subjects by the establishment of polytechnics and schools, he is not indisposed, it is said, to encourage their proceeding to foreign countries in quest of knowledge. As a possible solution, then, to the difficulty of training the Afghan forces by outside help, I venture to suggest that the Ameer should be invited to send a selected number of promising young men to receive a thorough military education in England and British India. And the invitation need not be confined to the military line; youths might be sent also for scientific and technical education. Afghanistan would thus in time come to possess her own engineers and craftsmen, her own scientific experts capable of developing her economic resources. Considering that these

young men would naturally become the pioneers of modern progress in their country, British India might well undertake a part of the expense of their education. And if they are well treated and kept under proper supervision there is no reason why they should come under any unhealthy or demoralising influences in the West.

These remarks are offered by way of a plea for better defined and more cordial relations with a State whose safety is so closely allied to that of India.

14

THE UNREST IN INDIA—ITS MEANING

[*The Nineteenth Century and After*, June 1907, pp. 873-85]

In talking of the unrest in India we are apt to forget the new conditions which have arisen there within the last twenty-five years and which have effected a great change in the sentiments of large bodies of people and considerably altered the complexion of even ordinary affairs. The facility of travel, facility in the interchange of thought through the medium of a common language among those who have passed through the mill of the Government schools, to whatever part of the country they might belong; the disappearance to a great extent of those linguistic and racial divisions which formerly kept the inhabitants of the different provinces so widely apart; the community of traditions revived and rehabilitated, if not exclusively by English hands, under English influences; the intensification, in many cases, of religious and racial antipathies, have all conduced to a solidarity among certain sections of the population and given birth among many to ambitions and aspirations of which it is difficult for most outsiders to form an adequate conception.

As yet these feelings have not affected the masses or their natural leaders, to whom the language of modern democracy imported from the West makes no appeal, and who wish to develop India on conservative and indigenous lines. But no one can believe that either the one or the other can remain long untouched by the wave of nationalism which is passing over those classes who are most pervious to English influences and whose education is mostly English. The recent incidents in the Punjab, the outburst

of anti-foreign feeling in other parts, are indications of the effect it can produce when sentiment and self-interest are invoked to inflame the passions and prejudices of the ignorant classes.

Remembering these facts, we cannot be surprised that, apart from any active propaganda, the feeling of discontent engendered in one province by an unpopular measure must react on the others. With the influences working unconsciously under the surface, not much engineering is needed to turn a local grievance into a 'national' trouble.

The far-sighted labour under no misapprehension, as to the objects which many of the more enthusiastic have in view; they recognise the limitations under which for some considerable time the political development of India must proceed; and until now they seem to have kept within bounds the fiery spirits who have made independence from British dominancy the goal of their ambition. But apparently they have lost their hold on the movement which had hitherto been leading towards reform on constitutional lines. They have practically been pushed aside, let us hope only for the moment, by a new party which regards moderation as a sign of weakness.

Nationalism of the extreme type, exclusive, resourceful, and aggressive, is content no longer with the programme of its more thoughtful leaders. Judging from all the circumstances, it is evident, as remarked the other day by a competent authority whose sympathy is well known, that 'the extremists have gained the upper hand. They will accept no boon from aliens and will have nothing to do with foreign domination.

When even a fragmentary part of a great conservative force like Hinduism adopts the disruptive methods of the West to extend its influence and paralyse controlling agencies it becomes an important element for consideration. There is, of course, no unanimity with respect to the means to attain the desired end. A war-cry invented in one province for a special purpose has penetrated to others widely apart; watchwords and tokens have come into existence. But between passive resistance to Government measures. general boycott of the English and English-made goods, and consequent disorganisation of British administration, and heroic methods of a still more undesirable kind, there is a great gulf

Whatever the means suggested, its advocates do not seem to perceive the immediate consequences of an agitation conducted on these lines for objects, which under existing conditions can hardly be regarded as feasible or conducive to the good of the people. And one of the first-fruits of the present excitement has been to stiffen the backs of the African colonists against making any concessions to Indian settlers.

The influence for good and for evil of the students educated abroad is naturally great among their compatriots; many of them are highly gifted, all of them are keen-witted and well-educated. They would probably be the first to recognise that, however much *Swaraj* may be desirable in theory, India is not ripe yet to assume charge of her own destinies, and that for some time to come the present rule is a vital necessity for her.

Quite recently a writer in one of the English dailies remarked with characteristic arrogance that 'altruism is not an Oriental virtue'. Assuming that it is a Western virtue, if the British were altruistic enough to withdraw from India to-morrow, 'bag and baggage,' as the extremists suggest in the language of Mr. Gladstone, what is the alternative? Either anarchy or another foreign domination. And no one will hesitate to ackowledge that, whatever its faults, British rule is preferable to that of the Russians, French, Germans, or even the Americans.

Would it not be better to wait for the gradual evolution of a Government conformable to the sentiments of a *united* people, rather than by violent methods, or by virulent language calculated to inflame the minds of the ignorant masses, try to hurry the pace and retard the progress? The last fifty years since the British Crown assumed the direct sovereignty of India have witnessed changes which nobody living in the sixties could have conceived as possible. Another twenty-five years of peaceful development are certain to bring still greater advance. The hour-hand of Time cannot be stopped.

At this moment, however, the nationalistic feeling is so strongly anti-English that every counsel of moderation is certain to be received with a storm of indignation. Thus it is that even men who are convinced of the impolicy of violent methods and extravagance of language as likely to hinder the cause of reform and progress

are obliged to run with the current.

The apathy with which the Indian Government has so long viewed the situation is difficult to explain. No one who has watched the course of events in Bengal can fail to observe how an agitation which, taken in hand at the right moment, might have been shorn of its most mischievous features, has been allowed to gain in intensity and acquire a bitterness which it is useless to disguise. Its genesis may be involved in doubt, its tendency cannot be mistaken. Warnings there were in plenty that a movement which began in opposition to an alleged unpopular measure was degenerating into a violent antagonistic propaganda against all aliens in race and creed. But they passed unheeded. An optimistic frame of mind views with impatience tinged with contempt any suggestion or opinion that does not emanate from approved quarters, or come through accustomed channels.

Until now the source whence the agitation started gave colour to the official belief that it was ephemeral; that treated with mild doses of sympathy the symptoms would soon disappear. There was never any real attempt to diagnose the true cause of the excitement that so suddenly—to the official mind—had sprung up in Bengal. It was never understood, I venture to think, that the Partition, however strongly it may have touched the sentiments or interests of certain classes, could without other causes working at bottom have brought about that ebullition of feeling against foreign dominancy which has ever since been the prominent feature of Bengal politics.

The whole movement has been either treated with indifference or regarded as a phase of national development that deserved encouragement. It was forgotten that what was mere effervescence in Bengal, translated to provinces inhabited by more virile races, has a different significance.

In the present condition of the country and the popular frame of mind the desire to placate may easily be construed into timidity, whilst spasmodic exhibitions of vigour are likely to create the belief that they are dictated by fear. What is needed is a consistent policy based on a true understanding of the causes of the unrest.

It would be a folly to advocate the repression of the legitimate

impulses of a nation towards a wide expansion of its capacities; it would be equally a folly to neglect the appearance of a new force which, although owing its birth to Western influences, is at this moment peculiarly anti-Western. But it would be more than folly to allow constitutional criticism of the measures of Government, constitutional endeavours for its improvement or reform, to degenerate into seditious exhortations and incitements to revolt, which might involve numberless innocent people in ruin and misery. No Government worth the name can allow liberty to degrade into licence to be used as an engine of oppression—for landlords to coerce tenants not to buy foreign goods, for irresponsible youths to prevent by force other people from following their legitimate trades and occupations or the bent of their own tastes. It would be the encouragement of a tyranny of the worst kind—a mob tyranny likely to involve different communities in violent conflicts.

When bands of 'national volunteers' are allowed to roam about the country to terrorise over law-abiding people the only explanation of the extraordinary situation is that the administration must have been seized with a sudden paralysis. And the news telegraghed from Simla that at a conference of Hindus and Mahommedans the Hindu leaders had accorded to the Mussulman subjects of his Majesty their permission to buy and sell English goods raises a smile at the weakness which could let things come to such a pass that one section of the people should depend for the exercise of their rights and the enjoyment of their liberty on the toleration or sanction of another The idea at the back of some minds that if the unpopular measure which has ostensibly induced the disorders were undone things would resume their normal course confuses cause and effect, and proceeds, it is submitted, on a misapprehension of the real nature of the complaint.

How the British Government will lay the Frankenstein it has raised remains to be seen. But no friend of India can view the present situation or the immediate future without the gravest anxiety. For centuries Hindus and Mahommedans have lived side by side in peace and amity. The fact that the latter had been displaced by their Hindu compatriots in Government consideration had made little or no difference in their general relations.

Occasional disturbances between the rowdy spirits on both sides on certain festivals did not mar the normal harmony. Between the better minds of the two communities there existed, as I hope it still exists and lastingly, sincere friendship based on mutual respect and recognition of worth.

It is unfortunate that after nearly two hundred years of constant intercourse the Indian and European should not have come nearer; it is still more unfortunate that in certain directions the gulf should have widened. To suppose, however, that it has any connection with the Japanese victories is ludicrous. Industrial competition in recent years, with the influx of a large body of Europeans who in the days of the Company would have been treated as 'interlopers' rather deficient in the quality of sympathy with the environment, has no doubt something to do with the present feeling. This, however, does not sufficiently explain the fact. Schopenhauer, in one of his decisive moods, has said 'Every miserable fool who has nothing at all of which he can be proud adopts as a last resource pride in the nation to which he belongs.' I myself believe in racial pride, though it may be carried too far. The average Englishman of a certain class does not usually show in his best colours in Eastern lands, where everything around him is alien to his mind. With much natural kindliness of heart he combines an unveiled assumption of descent from a higher sphere, which, as can be imagined, is galling to races who are proud of their traditions. He makes no differentiation between class and class.

The complaint about political disability is a misunderstood phase of resentment at the stigma of racial inferiority. The general European attitude of superiority did not, however, interfere with individual cordiality. Christian missionaries were specially respected. They were the pioneers of English education among Hindu youths. It was from missionary institutions that came the men who distinguished themselves at the bar of the old Sudder Dewanny Adawlut and in the service of Government, and overflowed into the mercantile offices. It was the start which the missionary institutions gave to English education among Hindu youths that gave them a superior advantage. It was a strange irony of fate that brought a Hindu mob upon inoffensive Christian pastors and

missionaries the other day at Lahore.

In their endeavours to promote English education among the people and to develop among them the nationalistic spirit, the missionaries adopted a method which, however expedient from their point of view, has led to consequences which they themselves must regret. With the object of developing 'Christian culture,' as it was called, 'among the natives' the Mahommedan religion and Mahommedan rulers were persistently represented in an unfavourable light. The same method was afterwards adopted in Government institutions. There was no virtue in Mahommedan rule; the toleration and equal rights enjoyed by all classes under Akbar, Jehangir, and Shah Jehan were nominal; the Mahratta rising was a patriotic revolt against alien rulers! The ultimate tendency of these teachings on impressionable minds was lost sight of. Sivaji celebrations were not discouraged, as they only embodied sentiments of antipathy to Mahommedan rulers! Naturally, opprobrious epithets towards Mahommedans became common among certain classes. The result is what the veteran Nawab Mohsin-ul-Mulk described in his speech at Lucknow in response to Mr. Gokhale's invitation to the leading Mahommedans to throw in their lot with the Congress, that English education, by developing an exclusive and somewhat intolerant spirit of nationalism on one side, had done more than any other cause to estrange the two nationalities whose destinies are so intimately connected and on whose amicable co-operation in the work of progress and reform depends the whole future of India.

Nowhere were the relations between the two races more cordial than in Upper India; they spoke the same tongue, wrote in the same character, observed the same customs. In an unlucky moment an ill-conceived administrative order created a breach which there are grounds for fear may widen still further.

It was hardly to be expected that the antipathy unconsciously fostered against one alien rule, even though it might belong to the past, would not extend itself to any other dominancy.

Moderate people among all classes and creeds deplore the turn affairs have taken; they apprehend, not without reason, that it may seriously jeopardise the progress of the country and the introduction of reforms. Organs of public opinion, men of standing,

all alike condemn the extravagance of language which has now become a source of public danger. But unfortunately their counsel does not seem to have much weight.[1] To judge even approximately of the tension which prevails, one must belong to the country. If the official classes alone had been the objects of unpopularity, it might be thought that they were considered the unsympathetic instruments of an oppressive government. Unfortunately all Englishmen seem at the present moment to be objects of aversion; and the ignorant classes do not wait to make any difference between official and non-official, sympathiser and non-sympathiser. The term *Feringhee*, which formerly was applied only to Eurasians of low degree, is now the common appellation of all Europeans. Prominent Hindus may not maintain friendly relations with Europeans or entertain European friends without being subjected to serious annoyances and molestations. It is even said that the feeling has extended to the professional classes, which hitherto were wholly impervious to it. One can only trust that the report is not true.

Had this phase remained confined to one part of the country there would have been no difficulty in satisfactorily solving the problem, but its appearance in an aggravated form in a province inhabited by far more vigorous races naturally furnishes grounds for anxiety. It is true that a certain measure relating to the assessment of Government lands in what are called 'the Punjab colonies' has proved unpopular among the classes affected by it Apparently there is some ground for complaint, and the objections of the *Zemindars* have, in a reasonable and moderate form, found expression in their journals. Their representations have already attracted the attention of the Lieutenant-Governor of the Punjab, who seems to have taken steps to deal with the complaint in a sympathetic spirit.

It is difficult to believe that an unpopular measure alone could have imparted the peculiarly violent character to the outbreaks in the three principal cities of the Punjab, in the course of which the

1. The *Hindu Patriot*, the *Indian Social Reformer*, and the *Indian Mirror*, not to name others, are very decided in their condemnation of 'extremist' methods.

English missionaries, who have so often been the champions of the popular cause, should have been particularly singled out for maltreatment. Hitherto a Punjabi has not easily fraternised with an inhabitant of the Lower Provinces. Evidently the extremist feeling which is so pronounced in Bengal has made its way into the Punjab.

So far the fermentation does not appear to have spread in any acute form to the United Provinces. But few people think that they can long remain unaffected by the spirit which is passing over the land. Even if no efforts were made to drag them into the campaign, the feelings, hopes, and aspirations which are working in the neighbouring provinces must in the course of things produce their natural effect. To say that the situation does not require the highest statesmanship is to court disaster.

The unlucky coincidence which made the recent riots in the Punjab almost contemporaneous with the anniversary of those dark days when India was plunged in the horrors of bloodshed created among the nervously-inclined in England and elsewhere a feeling of alarm and anticipation of trouble. This feeling was not likely to be allayed by the attempt, on the part of the 'Free India League,' to commemorate in London 'the Jubilee of the Patriotic Rising of 1857'! Whatever the motive which prompted the attempt, whether bravado or otherwise, it was deplorable. For the sooner that episode is forgotten the better, for both India and England.

One thing is certain, no such outburst as the great Mutiny is ever likely to recur. It is not the military resources at the command of Government which make it impossible; the causes which gave it birth are dead. The only force with which the administrator will have to reckon in the future is the strong nationalistic feeling which so many circumstances have combined to foster and stimulate. Wisely directed, it might become the means of great good to the people. It might encourage national education, develop national industry and enterprise, help in the cultivation of arts and literature. Misdirected, it is certain to cause incalculable harm, plunge the country into strife and disorder; drive the Government to adopt unwelcome measures for the repression of disturbance to public peace, and render the administration on progressive and

sympathetic lines impossible. But this seems to be the very object the militant sections have set before themselves. They deride what they call the 'milk and water' programme of the Moderates. *Swaraj* is their dream, and in its pursuit they appear resolved to go to extremes. One has only to study the extremist literature with which the country is flooded, to judge, not only of their aims and the method of their work, but also the efforts that are made to stimulate discontent with the present order of things.

I do not write as an alarmist; my sympathies are all on the side of progress and reform, and even the aspirations of nationalism within constitutional and legitimate limits. But I think that the man, particularly the statesman, who neglects the signs visible to the naked eye, will have a grave indictment to answer at the bar of history.

The character of the situation is thus pithily summed up by a distinguished Hindu graduate of the University of Columbia who is reported to have told his audience that 'Hindu civilisation was now pitted against English civilisation'.

The views of a prominent leader of the Congress expressed in an Indian newspaper on the causes of the unrest in Eastern Bengal were thought of sufficient importance to form the subject of a telegraphic communication to England. He considered that 'the unrest in Bengal is due to a belief which prevails among the more ignorant classes that the Government will support the Mahommedans against the Hindus'. And on this statement an English journal based this excellent homily, that 'this belief, until experience corrects it, will excite both sides to excesses'. What these 'excesses' are were explained the other day to the House of Commons by the Minister responsible for the good government of India. I am not prepared to believe [that] Mr. Dutt gave expression to the opinion with which he has been credited But if he did so, I venture to think that he has done an injustice to those whom he calls 'the more ignorant classes'. The ferment, as he knows, is primarily due to men who can hardly be called 'ignorant,' and who would probably resent its application to them by anybody, except perhaps by one of their own leaders. The really 'ignorant classes' have no such belief, except where it may have been instilled into them by persons better acquainted with

facts. The fomenters of the 'unrest' know perfectly well that Government has not the faintest notion of supporting the Mahommedans or showing them any undue favour. They know, as the Mahommedans know, that in its dealings with the Mussulmans it has always subordinated considerations of equity to expediency, that in deference to Hindu feelings it has maintained an impartial attitude which had this peculiar quality that it often inclined the scale towards the majority. Mr. Dutt's statement—if, indeed, he is correctly reported—seems very like the proverbial red herring trailed across the path of the timorous administrator. This dexterous attempt will probably have one effect, it will still more disincline the British Government to shew consideration to Mahommedan claims or Mahommedan worth, lest at this juncture it might be construed into favouring the Mahommedans, and thus offend the sensitive feelings of these 'ignorant classes'.

The leading Mahommedans of Eastern Bengal, in conjunction with prominent Hindus, are striving to restore harmony between the two communities; but, judging from reports, malevolent endeavours are not wanting to nullify their efforts. So far the Mahommedans as a body have under the most trying circumstances exercised great self-retraint and moderation. They appear to have withstood all attempts to exasperate them or to goad them to put themselves in the wrong. They will probably have need in the future for still greater self-restraint and forbearance, and this need, I think, the leaders of the Mussulman community should carefully impress on the bulk of their people. They will gain nothing by losing self-control; they will only play into the hands of those who wish to create mischief. They must remember that in any disturbance, however provoked, they are more likely to receive harsher measures, lest leniency might be construed into favouritism. They must look to the law of the land for redress of grievance and protection from annoyance and provocation. Nor must they forget that in India particularly law is a game for the rich, and as a community they are not rich. For protection from persecution they must trust, as they have hitherto trusted, to the justice of British rule. It is impossible to suppose that, in spite of the volume of sound which drowns their claims, their voice will always remain unheard.

I have so long dwelt on the outward manifestations of a new force, though not altogether unprecedented in the history of India—a force full of momentous potentialities. Whether the movement can be turned into salutary channels must be a subject for anxious consideration to all, Indians and Englishmen alike, who are interested in the peaceful development of the country and people.

In my opinion neither temporary measures of repression nor of mere conciliation which gratify individual or sectional ambitions will have more than a passing effect. We know that when justice is on the alert the mischief-maker lies low; the moment its watchfulness is relaxed his machinations begin again. Repressive measures continuously applied breed ill-will and further the purpose of those whose object is to sow distrust in the minds of the people. Attempts to temporise or soothe feelings, fictitious or real, are apt to be misconstrued; and the answers they bring sound like the cry of 'the daughters of the horse-leech'.

As a remedy for the unrest in the country, it was recently suggested by an eminent Indian, whose position lends weight to his opinions, that a member of the Royal Family of England nearly connected to the throne should be sent to India as a Regent for the same term of years as an ordinary civilian. He was, however, to act merely as a figurehead without any hand or part in the actual administration. The office of Viceroy was to be abolished, and instead there was to be a Prime Minister whose functions would not be dissimilar. Although the idea was clearly propounded and seems by its novelty to have caught the fancy of some, it is difficult to see how the Regency—whatever attractions it might possess for Rajahs and Nawabs—would achieve the desired result. With all respect, the suggestion misses not only the nature of the complaint for which the remedy is prescribed, but also the difficulties which surround its application.

The problem which faces the Government requires consideration from a broader standpoint. It is not enough to apply palliatives without endeavouring to get at the root of the mischief The first effort no doubt should be to restore order and to give effective protection to law-abiding subjects of the Crown. The policy of letting things slide, of coquetting with malevolence,

must be abandoned. But, without relaxing for a moment the attitude of watchfulness or ceasing to repress disorders and open or covert incitements to sedition, steps should be taken to neutralise the propaganda of ill-will and racial feud by inviting all people interested in the maintenance of peace and good government to assist in the restoration of better feeling and harmonious relations between the different communities.

The Mahommedan historian of India, writing under the auspices of the first English Governor-General, describes thus the cordial relations which, in the course of centuries, had grown up between the Hindus and Mahommedans:

> 'And although the Gentoos seem to be a generation apart and distinct from the rest of mankind, and they are swayed by such differences in religion, tenets, and rites, as will necessarily render all Mussulman aliens and profane in their eyes; and although they keep up a strangeness of ideas and practices which beget a wide difference in customs and actions, yet in process of time they drew nearer and nearer, and as soon as fear and aversion had worn away we see that this dissimilarity and alienation have terminated in friendship and union, and that the two nations have come to coalesce together into one whole, like milk and sugar that have received a simmering. In one word, we have seen them promote heartily each other's welfare, have common ideas like brothers from one and the same mother, and feel for each other, as children of the same family.'

It is not so very long ago that the cordiality, goodwill, and sympathy, so quaintly described, were general among all classes and not confined to the cultivated sections. They visited each other, joined in each other's amusements, and as neighbours and friends maintained constant intercourse. The change that the last two decades have worked is most marked. And the refusal of the Mahommedans to join the boycott movement has intensified among the more violent the antipathy of recent growth artificially fostered. In spite of the present differences, it is my firm belief that with a little devotion and self-sacrifice on the part of the best men on both sides who have a clearer insight into the needs and requirements of India, and who are not swayed by passions and prejudices, the same old relations can be re-established.

The first duty, however, seems to be to bring the official classes in touch with the people in order to promote mutual understanding, and to neutralise, to some extent, the teachings of racial animosity. The aloofness of Europeans in their general relations with Eastern people, and the inaccessibility of British officials. had, as early as 1787, formed the subject of criticism among the educated classes of India. The same writer whom I have quoted above, commenting on the conditions under the Mogul emperors and those under the Company, says:

'Hence those princes lived amongst their people and amongst their nobles, as kind and condescending parents amongst their children; nor did they suffer the dust of sorrow to darken the heart of any of the creatures of God by a show of tenderness to one part of the people and of rudeness to the other: for they looked upon them all, whether conquerors or conquered, with an equal eye.'

To this the English translator adds the following note:

'The Emperors of Hindustan used to give public audience twice a week, and were imitated by all their lieutenants and governors; whereas the charge of inaccessibleness brought against Europeans by their Indian subjects is founded on matter of fact and on daily experience, although, after all, the charge is exaggerated.'

The example of Warren Hastings and many of his notable successors led to the adoption of a system of weekly *durbars* held by British officials for the reception of local magnates and prominent people. But as the administration became more complicated it gradually fell into disuse. Nowadays the overworked officer has less time, and probably fewer opportunities, to come in contact or cultivate personal relations with the people over whom he is placed. The gulf which so often separates the two to the disadvantage of both might be bridged, if the old practice were resumed with broader sympathy and a better comprehension of the results that might be attained thereby. A day might be set apart by the head of the district or sub-division to receive not only magnates and persons of education and standing, but also headmen of villages.

There need be no fear as to the derogation of authority or respect in consequence of any unbending, in these efforts. The Indian, whatever his rank in life, hardly ever fails in his respect to his superiors. Of course, the revolutionary wave we are witnessing has slackened the bonds of authority and weakened the old reverence for age and position. But to command respect is a matter of personal equation; and few officers, English or Indian, would be found deficient in that quality. I believe, if some effort were made to bring about a change in the relations of the people with the official classes, it would prove of the greatest help in removing much of the ill-will that has recently grown up among certain classes against British rule.

It is unfortunate that there is no efficient means of counteracting the deleterious influences to which many students coming from India are subjected on arrival in this country. In former years, when they were few in number, they brought introductions to personal friends of parents and relations, and generally came under the best guidance and saw the best side of English life. English society was less exclusive in those days—and its portals were open not merely to the rich. If the students were gentlemen and well educated they frequently found an entry into good circles. The situation has completely altered within the last twenty-five or thirty years. The influx of students for training and education has become greater. Courtesy to them is now regarded as the fad of the philanthropist or the duty of the Anglo-Indian official. The students have societies of their own, mostly political in character. They are often members of English clubs which advocate advanced politics. They imbibe here the lessons of political philosophy which England teaches with such success to the rest of the world. They return to their homes with not very kindly sentiments towards the somewhat autocratic government which rules their country

Would it not be a wise policy for the Indian Government to assist the associations which are working so assiduously to promote the interests of India and her people—to establish a non-political club where Indian students would meet Englishmen and their own country-men residing in England and acquire that spirit of frank camaraderie forbearance and moderation so essential in

after life; where also they might cultivate an eclectic mind which would reconcile Eastern and Western civilisation? And perhaps some means might be found for the British Ministers at Washington and Tokio to come in touch with the Indian students who are now flocking in large numbers to Japan and the United States for technical training and general education.

To promote the establishment of better relations between Hindus and Mahommedans I would suggest the formation of social clubs where educated members of the two communities might meet for purposes of friendly intercourse and reunion. There is no dearth among either people of public-spirited men willing to undertake the task of forming such societies. And if the same recognition which is now accorded to rich men founding schools and dispensaries were extended to those who interested themselves in the formation and maintenance of friendly clubs, we would soon see no lack of enterprise in this direction.

With a similar object the *akharas* which have recently sprung up in Eastern Bengal to teach the youths of the provinces the hitherto unaccustomed and unpopular art of plying the lethal weapon might be converted into students' clubs for self-improvement; whilst the practice among young students of carrying daggers and sword-sticks, pistols and revolvers, which offers such strong incentives to rowdyism, might, however gently, be discouraged.

These suggestions are offered in all diffidence as the result of a long study of a problem the solution of which is becoming daily more and more difficult. Some might seem weak, others hardly feasible. But, whatever view may be held with regard to them, in my opinion the time has come when steps must be taken to reach the heart of the *people*.

15

SOME RACIAL CHARACTERISTICS OF NORTHERN INDIA AND BENGAL

[*The Nineteenth Century and After*, November 1907, pp. 699-715]

At no period of the history of Great Britain's connexions with India have the racial characteristics of her people, which furnish perhaps the only key to her inner life and the present political situation, possessed greater interest for Europeans than now. Recent events, combined with the general attitude of certain classes influenced by Western education or permeated by Western ideas, have attracted even the attention of intelligent observers abroad. And it is not unusual to find French, Russians, and Germans keenly seeking information regarding the peculiarities of the different races, and their real or supposed antipathy toward the British and British dominancy. Of these foreign inquirers probably the most interested, or the most inquisitive, as certainly they are the best informed, I found among the subjects of the Czar and the Kaiser. The Anglo-Russian Convention, in which England has shown such self-sacrificing spirit, will not lessen the Russian interest which was so unmistakably evinced fifty years ago.

Although much theoretical information on the subject is available in census reports, gazetteers and such-like works, a knowledge of the virtues and idiosyncrasies of the people of India derived from actual and intimate association is rare. The attempts to gain an insight into their character have been mostly confined to the Punjab, where more picturesque conditions appeal to the imagination of outsiders. But as enthusiasm in this direction is usually regarded in high quarters as a 'crank' these attempts have borne

little practical fruit.

Among other causes, insufficient command over the vernacular prevents the European official classes from coming into touch with the masses. The same difficulty often stands in the way of familiar intercourse with the upper sections of Indian society. It is not so very long ago when perfect acquaintance with the spoken Indian languages was as common as it is unusual nowadays. It was not only the passport to official preferment, but a requisite qualification for holding converse with the people in all walks of life. Since then one chief cause for its necessity has disappeared. Almost all Indians with whom an Englishman ordinarily comes into contact speak and write English. Their command over the language may vary according to their culture, but rarely is there any need for recourse to the vernacular for conversational purposes. Again, it is not merely that the work has increased, but the conditions of life have altered, which leave little inducement to acquire a thorough acquaintance with the popular tongue or cultivate intimate relations with the people. So long as the young officer is able to pass the departmental examinations both he and the Government are content with his linguistic attainments. No amount of manipulation in the distribution of official work or reduction in files will restore to life the class of men who, in the midst of their duties, had always time to enrich the pages of the *Calcutta Review* with contributions on Indian history and philosophy.

Whilst the English official is thus hampered in his direct dealings with the masses, the Indian often finds himself in a dilemma. If he is too intimate he is as likely as not to bring down on himself reproof from superior quarters; if he holds aloof he lays himself open to the charge of being unsympathetic. As a consequence he entrenches himself behind a barrier of reserve. The Englishmen is generally fond of sport; if a man of tact and intelligence he manages in the pursuit of *shikar* to get a glimpse of village life and manners. The Indian has rarely any sporting predilections. His views in many instances are of an *a priori* character, and his impressions are derived from police inspectors or other official or quasi-official media.

The same criticism in a modified form applies to the Indian *rais*, or notable. Often his inclination is not on a par with his oppor-

unities to maintain close relations with his people. He rarely lives among them, or makes their life and habits of thought, their feelings and sentiments, an object of study. He proceeds on the assumption that they feel and think as he does, which is only partially true. British rule in India has given the land peace and security, but it has failed, in most parts, to give stability to fortunes. The unceasing change in wealth, means and the possession of property explains the lack of interest among the generality of the rich in the development of the people and the country. A man amasses wealth, acquires property, gains position and prestige, and even a title from a recognisant Government, and is classed to-day as a notable. Sooner or later his son or his grandson, by the solvent process England has introduced in her great dependency, goes to swell the ranks of the discontented. Sir Evelyn Wood in his remarkable, though somewhat inopportune, articles on what he calls the 'Revolt in Hindustan' has referred to some of the causes of the rising in Shahabad and the adjacent districts. He has omitted, however, one important cause, which drove the sons and grandsons of the Sepoys who fought bravely for the East India Company in former days, and had obtained *jagirs* by way of reward for faithful services, to take up arms against the British Government. They were evicted from their possessions by the action of the Courts, and in their fury against the *mahajans* in whose favour they were ousted they turned against the State.

Among the many schemes that have been on the forge of late for the betterment of the conditions of the people or for the promotion of contentment among the educated classes, I wonder if any thought has been paid to this subject.

This only by the way. The new notable's life, like his English compeer's in similar circumstances, has been 'strenuous'. In many instances he has had to go through unpleasant ordeals to reach his goal; he has had to flatter the powerful functionary, and to pay court to the underlings. But with all his experience his horizon is somewhat limited. Between the older notable and his fellow-countrymen of lower degree there is often a great barrier raised by listlessness, apathy, utter want of interest. As independence of character is rather at a discount, the notable generally cultivates a proper deferential spirit towards the *huzoor*, who is the providence

that holds in its hands the dispensation of honours, and whose countenance alone makes the life of a notable agreeable in his locality.

New aspirations, new thoughts, and new ideals have sprung up in British India. Their manifestation in certain parts has been attended with regrettable incidents, which are certain to discredit their influence on the outside thinking world inclined to sympathy. Many of the ideas are, it is true, hardly practical; some are, indeed, incoherent, and if carried into effect are likely to throw the country into disorder, and to cause incalculable mischief and misery. And yet, however much we may deprecate their existence, it would hardly be wise to leave them out of consideration. They must henceforth be counted as factors in the work of government, as the natural outcome of two distinct forces acting upon an old civilisation that is part of the people's life, and is intermixed with their whole social and religious organisation. One of these forces is emphatically conservative, whilst the other, deriving its nurture from outside, is perhaps aggressively democratic. It is not merely their disappointment with official Liberalism which drives certain sections in Bengal into the arms of Labour members of Parliament; it is the democratic impulse that has manifested itself in various directions which makes them lose sight of the treatment meted out to their countrymen by the Labour party in South Africa, British Columbia, and other places.

As was to be expected, Islam in India has received an unmistakable impress from Hinduism, with the result that some of its original conceptions have in the course of time become modified. In its essence, however, like primitive Christianity, it is democratic—almost tending to Socialism. It recognises no priesthood, acknowledges no caste distinctions. In the mosques all men are equal; anyone with the necessary knowledge can officiate at the services; there are no family pews specially set apart for the rich or high-placed. Hinduism, on the other hand, is essentially conseravative. All its instincts, traditions, and institutions favour exclusiveness. While maintaining the purity of caste they also conserve its privileges. Hindu home-life, again, and the influence of women, of whose force we have little conception, guard against alien intrusion of thought or practice within the home circle. Institutions

sanctified by the observance of ages, privileges enjoyed as part of a religious system of a hoary antiquity, receive within the sacred precincts of the home as much respect to-day as fifty or a hundred years ago. But with the conservatism is now combined in the domain of political conceptions a strong democratic tendency in the assertion of equal rights for all castes and all classes; and Brahmins and Sudras are found on the same platform in the pursuit of a common object.

How these two antithetical forces, one conservative, the other democratic, are working together in moulding the ideals of the people of British India, and even altering in some tracts the national character, is a subject of supreme interest

There is nothing even remotely analogous to this in the native States, where the conditions are widely different from those prevailing in the territories directly subject to the British Crown. Similarity of manners and customs must not blind us to the apprehension of this difference, or of the fact that, although the people of the native States are influenced by the development of thought in British India, the action is by no means reciprocal.

Two political schools are at this moment contending over the origin, aims, and tendencies of the movement which has developed into 'unrest' in certian parts of the country. One considers it a healthy sign of national life, while the other is equally vehement in its denunciation. One talks of 'self-government' before the people have realised the value of compromise and the responsibilities of citizenship; the other pours ridicule on such modern democratic conceptions, and places its trust in what it calls 'the ingrained feudalism' of the land.

The idea of dissociating the educated classes from the administration, or creating a cleavage between them and the richer sections of society, is based on a misapprehension of the national characteristics. Education or the pursuit of learning has never been in much request among the opulent or even affluent ranks in India. The cultivation of letters has always been left to the middle strata. Be they highly cultured or less educated, they form the backbone of the nation; they supply the State with talented functionaries, lawyers, and physicians; they furnish the large subordinate machinery with whose help the country is administered. In this

connexion another fact should not be lost sight of. In the East generally—and India is no exception to this rule—learning enjoys a degree of respect little known in European countries. A *pundit* or a *moulvi* receives far more consideration and often exercises far greater influence than a *rajah* or a *nawab*. When we realise this we can understand the part the students are playing in the disturbed tracts, apparently with the assent of their elders and the tacit approval of the people to whom they offer their guidance. No one deplores more than I do the enlistment of young students in the cause of any agitation. It unsettles their minds, prevents healthy development, and becomes the source of mischief to themselves and others. But the explanation of the part they are made to play deserves attention.

Nor must it be forgotten that the chiefs and notables are hardly different from ordinary folk in their prepossessions ; and the class whom it is sought to discredit is not without influence of prestige even among them. The refusal of the priest to officiate at weddings or funeral ceremonies would soon bring the richest *rajah* on his knees. Here I might point the moral by mentioning an incident within my own knowledge. A high judicial officer of great enlightenment was once staying at the same hotel as myself at a hill station. As he always persisted in taking his meals in the solitude of his room, I ventured to ask him the reason of his seclusion. His answer was extremely pertinent and conclusive—'I have still daughters to marry !'

It will thus be seen that the situation is more complicated than one imagines, and needs an earnest and honest endeavour to reach the minds of the people without essaying the somewhat impossible task of 'getting into their skins'.

We often hear of the veil behind which the Oriental hides his thoughts. The Oriental is not more secretive than any other ; sometimes he is less so. But his plane of thought is not the same as that of an Englishman. Environment and upbringing, as is natural, cause the difference. If the Indian possesses any independence of character or holds convictions he is not a *persona grata* in the official world, and this he knows. Mental invertebrateness, he finds, has its uses ; he tries to say what is pleasant and nothing more. His mind is, indeed, behind a veil !

The superimposition of the utilitarian and not very altruistic civilisation of the West on the Indian civilisations has produced some anomalous features. For years past Englishmen have been engaged in diffusing Western ideas among the people. The effort has been to Christianise, Europeanise, modernise Indian thought and Indian life to break down old customs and habits, to alter social institutions and family conditions, to develop a national sentiment. In some directions the effort has met with success, in others with hopeless failure. And now that after several generations of continuous labour it has begun to bear fruit, the result is viewed with surprise mixed with resentment. The very contact with Europeans has had an effect on the national character and national ideals. In the absence of legitimate outlets the roused consciousness and latent energies turns into unreasoning discontent. To contend with this we seek to turn the tide of development --very much like Mrs. Partington's efforts to mop the ocean.

Again, the failings which every virile race despises were stigmatised as 'Oriental attributes,' and Indians were invited to cultivate self-respect, independence of character, manliness, and originality of thought—qualities which they were supposed to be wanting in. It is an extraordinary circumstance, however, that the possession of these very qualities is a serious handicap to those who have them; whilst servility and sycophancy, despised in theory, receive encouragement in practice. The effect of this cynicism is disastrous on the national character of both Hindus and Mahommedans. It leads to the cultivation of opportunism in its worst form.

Christianity, like Islam, teaches human equality. In India a new caste, the caste of colour, has been superimposed on the old existing ones. Al-Biruni[1] says the caste distinctions of the Hindus began with difference of colour. That conception, if it ever existed, has disappeared. Modern Hinduism recognises no caste that is not founded on birth within the exclusive circles sanctioned by its religio-social system. The Hindu understands the caste-distinctions in England founded on wealth; he cannot understand the claims

1. An Arab historian and philosopher who visited India towards the close of the tenth century.

of a Brahminical superiority based on colour. The barriers which this new caste raises in India against social equality, and which in the South African colonies stigmatises Indians as 'coolies,' and tries to deprive them of their legitimate rights, naturally impart an acerbity to the character of the people that otherwise it does not possess.

These conditions add to the difficulty of governing a conglomeration of races not only alien in genius to the dominant class, but differing among themselves in the peculiarities of their character. The various nationalities of Europe, however divergent from each other in their practical and moral ideals, have one bond of union—they all possess a faith traceable to a common origin. Community of traditions in Western Europe which contributes so largely to uniformity of advance in material civilisation supplies another bond. In India both these elements are wanting. The Indian races descended from divers stocks, although living side by side, often intermixed in villages and townships, profess different religions and possess no common traditions. They differ from each other not only in creed, but also in their ethical standards. Climate and environment again give rise to marked divergences in character and moral aptitude in people following the same religion and belonging to the same stock. The spread of Western education and the infiltration of foreign ideas into strata that are ordinarily supposed to be impervious to outside influences have brought about a strange tightening of the bonds of nationality. Fifty years ago a writer described Hinduism as a system 'whose tendency was to split its votaries into a multiplicity of petty communities, having with each other nothing but distant and constrained social intercourse and relations.' And he went on to add :

> 'The bars to intimacy are insuperable, and encroachments on the petty demarcations, not only of caste but sects of castes, are jealously watched. Minds trained from infancy to such a school are imbued with the contractile spirit of pertinacious sectarianism, and though they may be greedy of power and wealth and extremely patient and subtile in the pursuit, yet they enter upon such a career incapacitated for the entertainment of those comprehensive views which enable ambition to establish empires.'

To-day, although the stringency of caste and caste-institutions

has considerably relaxed, the strength of Hinduism as a national religion, as a social system, has developed in all directions. In every part and in every caste and stratum of society the Hindu is more a Hindu than ever. It is easy to deride his customs, but not so easy to understand the extraordinary change that has come over him. As a thoughtful writer in the *Hibbert Journal*[2] observes, Hinduism abandoning its old adaptability, which enabled it to embrace in its pantheon the gods of every tribe and people whom it subjected or with whom it came in contact, 'is now engaged in organising itself and delimiting its frontiers . . . its striving, with a success that is certain to be increasing and enduring, to slough its superstition, and to recover and conserve the spiritual contents of its ancient heritage.' The nationalistic movement, which is supported by members belonging to such reforming bodies as the Arya Samaj and the Brahmo Samaj, is but a part and parcel of the religious striving.[3] And although diversity of development attained during the last half century, diversity of sentiment and interest modify the intensity of the movement, it would be a mistake to ascribe it to ephemeral causes [*sic*].

A similar tendency has manifested itself among the Mahommedans but owing to peculiar idiosyncrasies its results among them are more variable and less definite.

In these circumstances every information regarding the national life and character will probably have an interest, if not value, as likely to explain many of the present symptoms. In this hope I propose to sketch briefly the chief characteristics of the principal races and peoples inhabiting the parts of the country with which I am most familiar, and whose peculiarities I have had opportunities to observe and study. Whatever observations I offer here are not merely those of an onlooker who has watched alien usages and the development of alien races at arm's length My study is, in one case, from inside, in the other from intimate association with all grades of life in almost every district in Bengal and Upper India.

Probably no country in Europe, not even Austria, European

2. October number.

3. It is noteworthy that conversions to both Islam and Christianity have greatly fallen off in recent years.

Turkey, or Russia, presents such diversified racial peculiarities or contains such varied elements as Upper India and Bengal. In the Punjab (to mention only the prominent races) live the Pathans, the Belooch, the Sikh, the Brahmin, the Rajpoot, and the Jat, mixed with the descendants of Arabs, Persians, and other settlers from the West.

The Gangetic basin, where the ancient Aryans, after leaving their original settlements beyond the Sutlej, established kingdoms and evolved a civilisation of a very high order, is the Hindustan of the Emperor Baber. Al-Bruni calls this region 'the home of the greatest heroes and Pharaohs of the Hindus'. Here live the descendants of the Mussulman conquerors of India of divers stocks, Arab, Pathan, Mogul, Persian, Turk, side by side with Brahmins, Rajpoots, Kayesths, and Hindus of other castes.

In Behar we find the same elements: Mussulmans descended from settlers and colonists from Afghanistan, Persia, Arabia, and Central Asia; and Hindus of all castes, Brahmins, Rajpoots, Babhuns, Kurmis, and many others occupying the lower rungs of the social ladder of Hinduism. In the district of Shahabad, at one time the nursery of the Sepoy army, the preponderating elements are the Babhuns and Kurmis.

The Mahommedans of the upper rank consist of the descendants of the Prophet and of Pathan settlers, whilst the lower strata are composed of the progeny of converts from Hinduism.

Western Bengal is inhabited by Mahommedans, descended partly from old settlers beyond the Indus, and partly from converts and Hindus of various castes. The lower castes in this part of the country show distinct non-Aryan characteristics. In Eastern Bengal the Mussulmans form the majority of the population, whilst the non-Aryan type is predominant both among Hindus and Mahommedans. This is just a rough sketch of the racial constitution—so to speak, of northern India, Behar, and Bengal.

The middle-class Hindus of the two provinces of Bengal have received from the English the designation of 'Baboos'. Originally applied in an honorific sense, though erroneously, from an inadequate knowledge of the meaning, it has come now to convey a somewhat depreciatory idea, and its use is accordingly resented by those who until quite recently accepted its application as a

compliment. Its origin has a curious history. In Upper India and in Behar the word 'Baboo' is the ordinary title of Hindu magnates and of the younger sons of rajas. With the first establishment of their factory in Bengal the English came in contact with a clerical class of Hindus, who soon acquired proficiency in the English language, chiefly in missionary institutions. Unacquainted with the Mogul appellations applicable to the different grades of society, the English 'factors' gave to all Bengal Hindus above the rank of menial servants the title of 'Baboo'. The word is now supposed to represent a type. In a restricted sense it denotes a writer or clerk, and conveys practically the same meaning as the term 'Lalla' in Upper India. No Government or mercantile office, no zemindar's *serishta* in Bengal, is without its full complement of 'Baboos'; the 'Head Baboo' is, in fact, the virtual ruler of their internal economy. The 'Baboo' is as much at home in a lawyer's office as in a department of State. Wherever he happens to be, he holds all the threads in his hands. His patience, under adverse circumstances, is remarkable; he will work for years in an office as an 'apprentice' on no pay, with the prospect of getting a paid employment ultimately. On week-days it is an interesting sight in the metropolis and large towns to see the clerks in mercantile and Government offices trooping to their work from all quarters of the suburbs and neighbouring townships and villages, in trains, in boats, and ancient vehicles of sorts, with a look of half-resignation, half-determination, which is not without its pathos. In fact, the pathetic look does not disappear until the 'Baboo' has become the 'Head'. For a pittance which will not keep body and soul together in an English working man, he will expatriate himself into distant provinces. He will be found shivering at Quetta or Simla. Clannish to a degree sharp, shrewd, always with an eye to the main chance, inclined to bully the weak and cringe to the powerful, they form a community of their own.[4] Among their own people they are called the 'Kerani' class, from the Indo-Portuguese word *kerani*, or writer.

Writing of the inhabitants of Upper India and Bengal in the

4. A good description of the 'Baboos' (the clerical class) and of their chief characteristics is to be found in a work called *The Hindus as They Are*, by a Bengal scholar of great literary talent.

early part of the nineteenth century, Elphinstone contrasts them thus :

> 'The Hindustanees on the Ganges are the tallest, fairest, most warlike of the Indians; they wear a turban and a dress resembling that of the Mahometans; their houses are tiled and built in compact villages in open tracts; their food is unleavened wheaten bread.
>
> 'The Bengalees, on the contrary, though good-looking are small, black, and effeminate in appearance; remarkable for timidity and superstition, as well as for subtilty and art. Their villages are composed of thatched cottages, scatterd through woods of bamboos or of palms; their dress is the old Hindu one, formed by one scarf thrown round the middle and another thrown over the shoulders. They have the practice, unknown in Hindustan, of rubbing their limbs with oil after bathing, which gives their skins a sleek and glossy appearance and protects them from the effect of their damp climate. They live almost entirely on rice; and although the two idioms are more alike than the English and German, their language is quite unintelligible to a native of Hindustan.'

Although physical conditions and habits of life have not altered much since Elphinstone drew this picture, the diffusion of education on Western lines, facility of travel, and general intercourse and community of political and religious ideas have effected a startling change in the character of the people. It is not so long ago that, in the villages of Bengal, bands of youths belonging to rival factions (*dals*) could be seen arrayed in hostile ranks with their clothes tucked 'up-country fashion,' challenging each other with uncomplimentary epithets to 'come on'. The onlooker's patience was often exhausted with waiting to see if the furious wrath that seemed to animate both sides would really end in a fight. But as it led to nothing—even the mischievous offer of a rupee to the bold youth who would strike the first blow failed to elicit the wished-for response—he retired disappointed. And now young students stand up with 'sticks and umbrellas' to the 'up-country' and English policemen. who until quite recently were objects of dread to the respectable householder of Bengal.

As a rule Bengal discountenanced physical exercise as unseemly exertions, and a Bengali gentleman riding was an unusual sight.

Now, not only English games are popular, but gymnasiums have been established everywhere to teach the Bengali youth the hitherto unaccustomed art of using the *lathi*, and young men band themselves under the name of 'National Volunteers' to carry out by force the bidding of their organisers.

Among the many signs which indicate a change in the Bengali national character, not the least noticeable is the readiness with which many of the prominent popular leaders seem to take the risk of incarceration, so dreaded in former days, in the prosecution of their objects. That a respectable professional man should elect to go to gaol for the sake of a principle would have startled the people a few years ago, but now it seems to be taken in the ordinary course.

What is predicable of the Hindus in Bengal cannot, generally speaking, be affirmed of the Mahommedans. Religion and social usages give rise to differences not only in type, but in character. Such of them as are fortunate enough to remain affluent in the *bouleversement* which, with the help of the tribunals, is going on in their midst, betray few signs of the energy or enterprise of their forefathers. With a touching faith in the good intentions of Government—and we all know more than one place is paved with good intentions and wise resolutions—they combine, generally speaking, a listlessness which disinclines them to concerted action for their own betterment. The commonalty, however, have always been noted for greater sturdiness than their Hindu compatriots in the same ranks of life. Less agile in intellect, they are, as a rule, more manly and robust. How far the present conditions will assimilate the two communities remains to be seen.

Whilst the native of the Lower Provinces, with few exceptions, dislikes physical exertion, the 'up-country' man, as the native of Behar and the North-West is generally called, loves bodily activity and exercise. He is brave, inclined to swagger, frank, high-spirited, and on the whole, tractable. With his pugnacity he joins a certain boyish playfulness and simplicity of character. These qualities are marred by a dash of cruelty when the blood is roused. But the general characteristics vary everywhere with the ethnic stock. Thus the 'up-country' Brahmin or Rajpoot, so far as character is concerned, has little in common with the clever 'Lalla'—the designa-

tion of the clerical class in Behar and Northern India. Owing to their proverbial courage and faithfulness, 'up-country' men are in great request in Bengal as *durwans* (a corrupted form of the Persian *darban*) or doorkeepers in the houses of the rich and well-to-do, and the richer the individual the more *durwans* he has in his employ. They guard his *zenana*, or women's apartments, run with the palanquins of the ladies, and sit beside the coachman when the master goes out. The European banks and mercantile offices in towns and mofussil stations are similarly guarded by *durwans* from Behar and the North-West: the police force is exclusively recruited from Behar, the North-West, and the Punjab. The 'up-country' man, in fact, plays in Bengal the *role* of the Swiss in France in pre-Revolution days.

In the Lower Provinces, boundary disputes between rival landlords frequently end in serious fights. For these purposes it is usual to retain bands of 'up-country' *lathials*, a very expressive word, faint recollection of which, no doubt, is still retained by retired Anglo-Indian officials who have been concerned at one time or other with the preservation of peace or the administration of justice in Eastern Bengal. The long, thick stick, made of bamboo, called a *lathi*, is in the hands of its professional wielder (the *lathial*) a very effective weapon in deciding questions of possession. In Upper India and Behar the buffalo-herd usually carries a thick stick six or seven feet long, girt with iron rings, with which he has been known to beat off the marauders of the jungle attacking his herd.

In Bengal the native of Hindustan has now found a new vocation in teaching the young men wrestling, fencing, and drill. The 'up-country' policeman, especially in remote districts, is not a favourite. He rarely understands the language of the people, his manners are to them rough and uncouth. Truculent and harsh in his behaviour not infrequently cruel, his unpopularity reacts on the administration.

The honesty of the *durwan* is proverbial. Entrusted by his European and Indian employers with considerable sums of money, he has rarely been found to fail in his trust. He is a clever business man, but unconscionably usurious. Many have been known to retire to their villages with large fortunes made from usury.

These remarks, though not on the surface bearing on the subject, will give some indication of the characteristics of the different races and peoples according to their respective *habitat*. In judging of these we must remember [that] Behar and Upper India are cold in winter and dry in summer; in Lower Bengal the climate is mild in the winter and exhaustingly damp in the hot-weather months.

But no adequate notion can be formed of the divergences among the various races unless we examine them separately.

The bonds of common religion and unity of traditions constitute the Mussulmans into perhaps the only homogeneous nationality in India. They certainly exhibit many general characteristics which distinguish them from their Hindu compatriots. The Mussalman's pride is the legacy of his past history; his manliness is only partly racial. In a great measure it springs from the teachings of his religion, which inspires him with a sense of human dignity and independence. His conception of divine authority induces him to loyalty to constituted authority. In common parlance the Mussulmans are divided into four groups—viz. Syeds, Moguls, Pathans, and Sheikhs. Although only roughly correct, this division gives a fair idea of Mussulman colonisation in India. The descendants of the Prophet are naturally held in the highest estimation throughout the Moslem world. In the East they receive the title of *Syed* ('lord'), in the West that of *Sharif* ('noble'); they form, in fact, the nobility of Islam. The respect they enjoy and the influence they exercise lead many impostors to assume the title. Genuine descendants of the Prophet, however, are settled in fairly large numbers in different parts of the country.

The Persian historian of India, Ferishta, ascribes several characteristic qualities to the Syeds, among others learning, bravery, modesty, politeness, hospitality, compassion and charity. How many combine these virtues it is difficult to say, but I believe the pursuit of learning and the cultivation of the mind is [sic] more common among them than most other Moslems. They are generally industrious and persevering, but carry the virtue of hospitality often to the verge of self-ruin. Their women are better educated, and consequently exercise greater influence. Mussulman governesses, called *atoos*, are, or were, mostly Syedanis—ladies of Syed

families who had to earn their own living.

The term Mogul includes the Persians and Central Asian Turks, whose influx began with the early Mussulman settlements; but whilst the latter practically abandoned India about the middle of the eighteenth century as a field for the exercise of their energy and talents, the Persians still continue, though in smaller numbers, to settle in Upper India and in commercial seaport towns.

The Persians have been likened—I think by Sir William Jones—to the French. Whether the comparison is in their favour or not, they certainly possess great commercial aptitude, and are extremely clever business people. At one time the port of Hoogly—Calcutta had hardly come into existence—was covered with the palaces of Persian merchants; and, towards the end of the eighteenth century, a Persian merchant founded the most important charitable and religious endowment in Bengal. Unfortunately their Indianised descendants do not exhibit the same robustness of mind or body, and are fast falling into decay. The Persian women are *petite*, pretty, and fair of complexion, and have always enjoyed in India a reputation for culture, refinement, and good management. No Mahommedan family of any pretension was until quite recently without a *Mogulani* (a Persian lady, or lady of Persian descent) to regulate the internal economy and maintain the household in order.

The earliest Mussulman settlers and colonists, however belonged to the Afghan race. Their descendants are to be found in every part of India. Bengal was for a long time their stronghold, until Akbar the Great broke their power and reduced them to subjection. They bear in India the name of Pathan, a corruption of the word *Pakhtanieh*.

To understand the Pathans of India one must know something of the Afghan character. The western tribes, particularly the Durrani, to which the present royal family belongs, are regarded as showing the best features. They are brave and hospitable, generous and kindly of disposition, and accustomed to the amenities of civilised life. Among them there is less pressure of population, less competition for pasturage and land, and consequenty less display of the viler passions. As a rule, however, the Afghan is jealous of his independence, impatient of control, and, until Ameer Abdur Rahman put the bit on him, intractable.

The bulk of the Afghan settlers in India come from the eastern tribes, chiefly the Yusufsai [*sic*]. The eastern Afghans are hardy and brave, frugal and laborious, kind to their dependants and faithful to their friends. But with these admirable qualities they combine vengefulness, obstinacy, and envy, defects which have thrown a lurid shadow across the whole history of Mahommedan India.

The Yusufsais, who founded the largest Pathan colony in India, are described as a brave and hospitable race. They possess in a remarkable degree the spirit of adventure, and their industry is proverbial. Their great settlement in Northern India is in Rohilkund, to which they gave their name—the country of the Rohillas, the hill-men, from *Roh* hill. These Rohillas proved their prowess on the battlefield against the combined forces of the East India Company and the Nawab of Oude when Warren Hastings gratuitously attacked them. The industrial aptitude of the Pathan can be best judged by the work done by them in Rohilkund. 'Here the Yusufsai colonist,' remarks one writer, 'converted the country into a veritable garden.' Although lacking in artistic talent, the Pathans have always been great builders. Hence it has been said that they designed like giants and finished like jewellers. But their genius is assimiltive rather than creative.

The Pathan women are, as a rule, tall, handsome, and fine-looking, showing both physical strength and force of character, and are regarded with considerable respect by the other sex, and often exercise great influence.

In the term Sheikh are included the descendants of the converts from Hinduism and settlers from the west who do not belong to the other groups No particular reference to their characteristics seems necessary.

The Indian Moslem, as a rule, is hospitable, generous, and charitable, and although not so precocious or so apt to develop quickly as most of the indigenous races, physically and morally more robust and virile. Female infant life is much more cared for among them, and early marriages are discountenanced; and women generally occupy a higher position. Among the Hindu peasantry of the Punjab, Upper India, Behar, and even Bengal, women take a great part in the labour of the field ; the Mussulmans of the same class rarely employ their women on hard work.

But these qualities in the upper classes are marred by others of a different kind. Often wanting in perseverance and the pertinacity which acknowledges no defeat and brooks no obstacle, they cannot prosecute common objects to a successful issue. Nor do they possess the adaptability which enables their compatriots to conform so readily to the changing moods of the times. Generally speaking, fond of ostentation, they lack the spirit of thrift. In Upper India and Behar they are deficient in the commercial instinct which enables many of their compatriots, and even their co-religionists on the western coast, to turn two and two into eight.

The spirit of individualism noticeable in many Mussulmans of India is by no means peculiar to them. Among the Hindus caste is very largely a corrective to this disruptive failing ; while the new religions and political conceptions that are working among them tend gradually to draw together, without blending, tribes and castes which until now were most antipathetic to each other. Among the Mahommedans there is so far nothing similar to counteract the egotistical and centrifugal tendency ; on the contrary, it receives encouragement from outside, and in consequence Mussulman society to-day is in a deplorable state of disintegration There is little community of thought or intelligent comprehension of the general good. The prosecution of individual objects and the promotion of coterie interests occupy the thoughts of most of the prominent men.

I am affraid my remarks will not be received with favour by many, but my object in calling attention to some of the failings of my people, for whose advancement I have laboured for years, is that they should apply the necessary corrective, which can be discovered only from self-examination. The teachings of contemporaneous history, better comprehension of the precepts of the Master whom they follow, and, above all, the example of other races, are having their natural effect on the character and disposition of the younger generation of Mahommedans. They seem to realise the value of co-operation in the prosecution of national objects. Western education has broadened their vision and widened their horizon. With a clearer insight into the needs and requirements of their people, they are less inclined to take an optimistic view and stand still. And although they are patted on the back and advised

by the lovers of the picturesque in costume and moral aptitude to keep themselves swathed mentally and physically in the old garments, they seem disposed to take up the burden and swim with the tide of progress.

These factors are naturally having an effect on their character and their ideals, and explain the anxiety to play their legitimate part as citizen-subjects of a fairly progressive Government. But they lack guidance. Without intelligent partriotic leading they are at present in the predicament of a ship without a rudder. Thus, in their desire to share in the life which is animating Hindu society many of them forget the necessity of being regarded as co-ordinate members of the body politic, rather than as mere adjuncts to a powerful organisation over which as such they can exercise little or no staying influence.

The Hindu castes and sub-castes exhibit the same differences in characteristics as the Mahommedans. But they also possess common traits which, under present conditions, make for unity. For example, whilst the Brahmin favours intellectual pursuits, the Rajpoot evinces a peculiar distaste for all work which requires exertion of the mind. Both, however, are strongly anchored in the conservative tenets of Hinduism. The Brahmin's superiority in intellect over the other castes is the outcome of centuries of training and exclusive breeding. Mr. Sherring has described him as dogmatic, self-willed, and arrogant. Proud of the sanctity in which he is held, and conscious of his acknowledged intellectual pre-eminence, it is only to be expected that he should display some amount of self-appreciation. But he is at the same time clever, subtle, and extraordinarily tenacious of his rights and privileges. The Brahmins of Behar and Upper India do not yield in courage and bravery to any other Hindu caste. And in the pre-Mutiny days the Company's armies contained large numbers of them, which gave rise to the generic name of 'Pandeys' for the mutinous Sepoys.

Within recent years the Brahmin's claims to occupy the foremost position in Hindu society, so far as mental aptitude and ability are concerned, have been challenged by other castes, and the Kayesths of Bengal have produced men little inferior in mental attainments. In Behar and the Upper Provinces, however, few members of the non-Brahmin castes, save the Kayesths, have

so far shown any remarkable mental development This is somewhat curious, as under the Mogul rule scholarship was not confined to these two castes. Many Rajpoots occupied a distinguished place in science and literature, some as astronomers, others as poets and historians. English education has made some progress in the upper ranks, but the ordinary Rajpoot is still steeped in ignorance, still behaves in omens and auguries; he is extremely strict in the observance of the ceremonial rites of his religion, and a blind follower of his spiritual preceptor. His strong passion for gambling and intoxicants betrays his Scythian origin.

The Kayesths, the well-known clerical class of Northern India, form a community of their own. Clever and versatile, they have ever since the establishment of Mahommedan power in Hindustan supplied the lower grades of the State service. As village *putwaris*, as clerks in the various administrative departments, they have almost the monopoly. Astute, clever, and keen-witted, they hold the same position in Northern India as the *Kerani* 'Baboos' in Bengal.

The Jats, who are found principally in the Punjab and the Cis-Sutlej districts, owe allegiance to Islam and Hinduism in fairly equal proportions, although in places the followers of one faith outnumber the other The Jat is supposed to belong to the same ethnic stock as the Rajpoot; but in characteristics they differ widely. Whilst the latter is indolent and wasteful, the Jat combines thrift and industry with bravery and shrewdness amounting to cunning. His independence often leads to quarrelsomeness.

The Babhuns of Shahabad, Ghazipur, and the neighbouring districts, who at one time were found in large numbers in the Company's armies, and from among whom the police force in the Lower Provinces is recruited, exhibit the same virtues and the same failings. They are brave, industrious, generally thrifty, loyal in their friendship, and faithful to their pledges. But these qualities are marred by others of a different kind. They are grasping and selfish, and among the upper ranks inclined to indolence and self-indulgence.

In the middle of the sixteenth century an eclectic teacher of Hindu origin founded a new sect in the Punjab, which in the turmoil of the eighteenth century grew into a nationality. Mostly

drawn from the Jat community, the Sikhs possess the Jat characteristics. In spite of the training they received before and after the rise of Ranjit Sing, which turned them practically into a nation of soldiers, they have retained their aptitude for agriculture. The Sikh is rather given to brag, and inclined to be truculent and domineering.

All these and other tribes and castes, differing from each other in moral characteristics and mental capacity, have, beyond the special tenets and rules of their comprehensive and complex religion, one link of sympathy which has greater influence in drawing them together than the religion itself—namely, the sanctity in which they all hold the cow. The extraordinary effect of this cult can be judged from the following incident. An accomplished Brahmin, a man of wide sympathies and a scholar, who had travelled much in Europe, assured me that if it ever came to a conflict on this question it would be his duty to take side with his people, 'as the women were all against the slaughter of kine'!

The Hindu population of Bengal is traceable to so many stocks that differences in racial characteristics meet one at every turn. Force of character and weakness of aim live side by side. Bengal has produced from the days of Chaitanya to those of Ram Mohun Roy and Vidayasagar numerous men distinguished for mental and moral vigour. We know of the indictment levelled at the people of Lower Bengal by Lord Macaulay. But it is easy to stigmatise a nation. Only the other day I read in the letters of a German diplomatist the sweeping assertion 'the French are by nature liars, it is in their blood'. Reckless statements like these naturally cause resentment. The Bengali has his failings like other people, but he has many virtues. He has strong family affections, is attached to his parents, devoted to his children, faithful to his friends, charitable and frugal, and possesses a keen intellect. His chief fault is that he is inclined to be vindictive and to waste his substance in litigation. The untruthfulness of which we hear so much is confined for the most part to the ignorant classes, whilst the proneness to exaggeration he shares with other nations not always Asiatic.

These are some of the features in the national character which, in view of the present circumstances, seem to possess more than

ordinary interest. However much it may require regulating, directing, and keeping within the proper channel, the movement itself is not an unhealthy sign of development. The changes in English political thought and society witnessed in the Early Victorian period, and which brought to the forefront the growing influence of the middle classes, help to explain some part of the phenomena now observable in India. The movement requires firm but sympathetic handling; the time for the traditional methods of treatment has gone by. The classes which, say what we may, exercise an influence over the population, will be no more satisfied with mere words or appearances.

16

ANOMALIES OF CIVILISATION : A PERIL TO INDIA

[*The Nineteenth Century and After*, April 1908, pp. 568-81]

By far the most important problem of modern times in the domain of practical politics is the future relation of the East and the West. Their impact has created a movement which was inevitable and, in some instances, desired; but which is nevertheless regarded in militant sections of the Western world with the fear which overtakes all monopolists on the least appearance of competition. Under the influence of this feeling what might be welcomed as signs of progress is labelled 'unrest'; and European nations of diverse tendencies are invited to close up their ranks, for the spirit of the age must be kept in check from doing its work among Eastern races. How long these efforts and exhortations will succeed in maintaining the present state it is impossible to tell, but it is somewhat incongruous to find the same sentiment which is honoured in one continent condemned in another; whilst expressions carried from the West to the East either lose their significance or connote different ideas. Thus what is 'patriotism' in Europe becomes 'fanaticism' in Africa and Asia; and the desire for progress and development, 'restlessness' in Eastern lands.

It is not necessary to go far back into history to show the influence mere names have exercised on the destinies of the human race; we have an interesting illustration in our own times. A few years ago 'Spread-eagleism' was used for mere purposes of ridicule; christened 'Imperialism' it has acquired a holy meaning—it sanctified crusades against the liberty of weaker

States. Not only has the Empire of Great Britain an imperial policy which has enabled it to appropriate vast territories in every part of the globe, but the mighty Republics of the United States of America and of France have similar policies of an equally decided character. One would have thought that 'Imperialism' was inconsistent with 'Republicanism,' but here come into play some of those anomalies which make modern civilisation, with its mixture of humbug and hypocrisy, such an interesting study.

In the Middle Ages religion furnished the pretext for the spoliation and enslavement of alien races. In the fifteenth century the Pope divided the world beyond Christendom between the Portuguese and the Spaniards. In the prosecution of the task imposed on them by the Head of the Church, the Portuguese in the East Indies, the Spaniards in the West, made hecatombs of races and civilisations. Spanish ferocity caused the destruction of three brilliant civilisations so widely apart as the Moorish, the Aztec, and the Peruvian, and reduced to helotage three fine races. 'Spain,' said an American Senator in the late Hispano-American war, 'set up more crosses in more lands, beneath more skies, and under them butchered more people than all the nations on earth combined.'

Today other shibboleths have taken the place of older ones; religion has made room for what is called 'Western civilisation'. 'The white man's burden' has elbowed out the Gospel, whilst trade has become more important than 'evangelisation . Although the missionary, in his efforts to avoid martyrdom, has always at his back ironclads and big guns, the Bible is not forced upon unwilling people with the same fierce proselytising zeal as a few centuries ago ; it is now trade which they are compelled to admit whether they will or not. They are no more converted, they are 'civilised'. Civilisation is brought to their doors with beat of drums and clangour of arms, in the shape of trousers and top-hats, drink, disease, infant-murder and prostitution. There was something definite and ennobling in the conception of religion ; and though the adoption of a new faith did not usually bring the converted equality of rights with the converting missionary, soldier or priest, it promised at least some compensation in the next world. The new creed does not hold out any such prospect. They drink and they die, and there is an end of it. But the fat

lands remain to reward the labours of the civilised man. In the intensity of conviction in his 'mission,' the follower of the new creed rivals those of the old. The champion of Jehovah restricted salvation to birth in Israel; the champion of 'Western civilisation' confines it to a special colour. With him it is a primary article of faith that, whatever may be the case in heaven, the kingdom of the earth is for the white skin. And the products of the ghetto and the slum are equally vehement, equally clamorous in the assertion of special claims to civilisation, with the privileges which it carries.

We are thus face to face with a peculiar situation which in the struggle for 'grab'--that delightfully simple yet expressive Americanism—we have neither the time nor the wish to study; the incongruity does not strike us as anything out of the common. The Empire of Rome extended to all its subjects the rights of citizenship, and the 'provincial' was as much entitled to the full enjoyment of those privileges as the Roman-born. The Christian Empire of Great Britain cannot secure considerate treatment for its 'provincials' in its own Colonies. South Africa presents at this moment an extraordinary spectacle of what a mixture of high altruistic pretension, and rank selfishness can produce in the name of civilisation.

Probably it will not be disputed that the higher races of India have attained a place in the scale of development which compares favourably with many nationalities ordinarily regarded as civilised. The general diffusion of modern education has brought many of them into line with the foremost ranks of culture in the Western world. Save among special or backward communities, the spirit of enterprise has never been lacking among the people of India; and the process of unification which is in progress in the country has given it an extraordinary impetus. Under its impulse many Indians, in the pursuit of what, in the parlance of the day, would no doubt be called civilised avocations, relying on their status as British subjects, betake themselves to British Colonies. They are well-conducted, sober, thrifty, law-abiding people; not a few are highly educated. 'Civilisation' meets them at the threshold and brands them as members of an inferior race. The Indian may not walk on the same side-path as the

Italian, the Greek, the Russian, the Jew, or Armenian, or any other 'white,' nominal or otherwise; he may not travel in the same railway compartment or ride in the same tram-car; he may not own house or land in his own name; may not live in the same street, or find board or lodging in the same hotel. If a charitable-minded innkeeper houses a late arrival left stranded in a strange land, he must take his meals either in his own room or some hole-and-corner place where he may not be observed by people of the colour-caste to which civilisation has given birth.

The Colonial attitude towards the inhabitants of Great Britain's dependency on the retention of which rests much of the greatness of England's Empire carries one back to the days of the first Hindu law-giver. No member of the lower castes could aspire to associate with the Brahmin or Kshatriya without making himself liable to severe and most disagreeable penalties. Even now the Brahmin or Rajpoot sepoy would throw away his food if the shadow of a Sudra or non-Brahmin fell across his half-cooked or half-eaten meal. The Colonial has in his treatment of certain Asiatic races taken a leaf out of the book of Manu, who would brand a Sudra with hot iron if he had the temerity to sit on the same bench with a Brahmin! This Brahminical exclusiveness is however marked by one remarkable inconsistency. The Ottoman sovereign rules over a variety of races. The high character his Moslem subjects bear has been testified to by his enemies. But the 'civilisation' of to-day does not take into account the virtues of sobriety, cleanliness, temperance, and honesty. Evidently the modern creed is tinged with a certain mediaevalism which tabooes one faith in favour of another. It is anomalous to find that whilst Levantines, Jews, Greeks, Maltese, and others are welcomed into the Colonial bosom, the clean, sober, honest Moslem is alone classified as an undesirable Asiatic, subjected to the humiliating and degrading restrictions which modern Brahminism imposes on outsiders.

What, however, is more than anomalous is that the subjects of a common Sovereign should be denied the ordinary privileges of fair, generous, and considerate treatment. In the recent dispute between the Transvaal authorities and the British Indians settled in the Colony, which has created such an intense and

bitter feeling in India, two facts came out in strong relief—the helplessness of the Colonial Office, which kept, metaphorically speaking, wringing its hands over the dilemma of the situation; and the rather whimsical stand made by the India Office in favour of Indian chiefs and notables visiting the Transvaal!

The answer of the Imperial Government to the many appeals that were addressed to it during the late crisis conveys a lesson to the people of India which they are not likely to ignore. It supplies to the advocates of self-government on Colonial lines another powerful argument. At present they cannot make an effective retort to the insults and humiliations to which they are subjected by the Colonials; nor can they obtain legitimate protection from the Imperial Government. Self-government of the kind enjoyed by the Colonials would enable them to demand and perhaps secure reciprocity of fair treatment. We must not be surprised if some such reasoning enters into the conceptions of thoughtful Indians in the future.

A fortnight ago came the news from Vancouver that a number of British Indians, who had been passed by the Dominion authorities, were immediately informed by the provincial officials that they must be deported, and on their refusal to re-embark had been 'put in prison'. The correspondent telegraphing the news added, 'it is now generally admitted that "the Natal Act" is *ultra vires* so far as the Japanese or Chinese are concerned. The Indians say they are loyal subjects of the King, and ask why if other Asiatics are allowed to land they should be forbidden to do so. Many other persons are asking the same question. A large proportion of the Indians arriving here have served the King in the Army, and the treatment to which they are being subjected shocks even exclusionists.'

As I write comes further news respecting a situation which is fast tending to develop into a crisis. This time the Dominion Government itself, taking its stand behind a legal quibble, has added to the gravity of the problem that faces the Empire which is neither exclusively European nor exclusively Asiatic, but has to maintain, for its own sake, a just and equitable balance between the two component elements.

'In what even some opponents of Asiatic immigration admit [says the special correspondent of *The Times*[1]] to be an arbitrary and indefensible manner, the Dominion Government has ordered the deportation of the Indians who were allowed to land from the *Monteagle*. . . . It appears that seventy-eight of the Indians on arriving at Hong-kong from Calcutta were unable to obtain accommodation in the first steamer, as it was full, and they had to stay at Hong-kong for a month. The Dominion Government rules that these immigrants are not to be admitted, as they did not come direct from the land of their birth. One hundred and five Indians came by continuous passage from Calcutta, but the Ottawa authorities demand proof that they are the men who purchased the tickets. and of course this proof is impossible to furnish. . . . I saw the Indians examined by the Federal immigration officer on Sunday. Many wore medals won in the Sudan and other campaigns, medals which a certain member of the British Columbian Legislature recently termed "tinpot adornments." . . . There is in Vancouver a well-known Indian official who sails by the *Empress of Japan* tomorrow. He assumes that there will be grave danger of disaffection, even mutiny, among the native troops, if these men are deported. I can vouch for the fact that there is intense indignation among the Indians. The order spells tragedy for them. "We are subjects of the King," they say, "this is part of the King's dominions. Why do they keep us out?' "

A more interesting or more deplorable commentary on the methods of civilised government could hardly be furnished by any other incident in recent times. Here are the subjects of an Empire which professes equal rights for all races and creeds under its sway, and which makes in theory equity and fair treatment the cornerstone of its policy. There is nothing against their conduct, many of them have served their Sovereign in the profession to which civilisation accords the foremost place of honour : they possess the insignia of bravery and good conduct. And yet from accident of birth in one continent they are refused permission to abide on the soil of a British Colony and subjected to treatment which shocks even the advocates of exclusion. The feeling which these acts engender in British India can scarcely fail to cause some degree of concern among the responsible Ministers of the Crown. Nor are they likely to forget that the

1. Of 19 March 1908

Indian subjects of the Sovereign cannot apprehend the reasons which stand in the way of England is securing for them equal rights in other parts of the Empire. To the people of India she owes special obligations, both by virtue of her pledges and their place in history. Naturally, when the Imperial Government acknowledges its inability to insist upon the same treatment being accorded to them in British Colonies as is accorded to the Colonials in India, it is regarded as a lamentable confession of weakness. So long as this idea does not take an articulate shape it may perhaps be ignored as a factor in Imperial policy, but once it gives rise to a comparison, as it has begun to do, between the power of Great Britain and that of other States to protect its subjects from humiliations and restrictions the matter assumes an aspect that needs serious reflection.

Although little or no analogy exists between the East African possessions of England and the South African Colonies, the spirit of exclusiveness and monopoly has begun its work aslo there. And it is boldly urged on behalf of the few Europeans that have settled in the Protectorate, that British Indians should be debarred from entering this part of the King's dominions. In considering this demand it may be useful to remember what the Colonial Under-Secretary of State said a little while ago at the National Liberal Club, that Indian trade had been for generations intimately associated with the whole development of trade and of commerce throughout that tract, and that the very maintenance of the authority of the Crown was in the hands of Indian soldiers.

For ages this part of the African continent has been permeated by Arab and Indian influence. There are at present, it is stated on good authority, nearly 30,000 Asiatics settled in the country prosperous merchants, officials, traders, artisans, and labourers. All these it is suggested should be turned out in favour of European settlers. A more extraordinary claim has never been advanced in the name of civilisation. The ostensible reason for their exclusion is that the ordinary so-called 'white' settler cannot compete with the Asiatic in the struggle for existence. The Asiatic's thrift, frugality, sobriety, and temperance given him an advantage which the other does not commonly possess. In his

dealings with the natives he is less arrogant and more sympathetic, which is another point in his favour. But these qualities, which in other conditions would ensure his being regarded as a desirable citizen and a pioneer of civilisation among barbarous tribes, make him unpopular among those who are anxious to keep the Continent as a close preserve for themselves.

One would have thought that with the spread of civilisation and a higher conception of humanity and justice, European communities would evince greater toleration and accord a larger recognition to the rights of weaker nationalities. The desire to seize upon the most favoured spots of God's creation in every part of the habitable globe and prevent others from coming in can hardly be regarded as a commendable characteristic. If civilisation and humanity have any meaning, members of all civilised nationalities have *prima facie* a title to abide, if they can find room, wherever their presence is of general use. Certainly all subjects of the same Sovereign might be presumed to possess an inherent right to move from one part of his dominions to another without molestation or hindrance. But modern civilisation does not seem to acquiesce in the equitable treatment of all races with which it has civilised dealings, and from which it expects civilised treatment. It places the claims of special communities before those of humanity at large. If the contention be right that European settlers should be allowed to flourish and multiply in new possessions which did not belong to them, and where they have recently established themselves, without the intrusion of Asiatics, might not the latter urge with greater emphasis that the intrusion of Europeans of lower grades has an unwholesome and demoralising effect on their social systems? The British Indian can easily point his finger to the difficult and complicated problem which civilisation has created in the midst of his people by the creation of a community commonly called by educated Europeans 'mean whites' and 'Eurasians'. Might not he ask with equal show of justice that undesirable aliens should be prevented from entering his country?

A little while ago a suggestion was seriously put forward that Asiatics should be 'rigidly and absolutely excluded from the African continent,' which should be specially reserved for Europeans and the black races. In the width of its scope the suggestion

was startling; probably this very fact made it more or less innocuous. But the assertion that Europeans are the 'trustees' for the black races is somewhat humorous. It is one of the anomalies of 'Western civilisation' that in its dealings with the weak it makes its own interests the standard of the gospel it preaches to the world. The Asiatic cannot ordinarily be reduced to helotage; more or less he is in the same plane of advance as the lower-grade European, the same spirit of enterprise takes him into new countries. The black races, save in some special tracts, are in a primitive state; their labours can be exploited for others; they dare not compete with members of the higher or better-endowed nationalities. If they were more advanced we should probably hear less of 'trusteeship'.

Although 'civilisation' eschews the word 'slavery,' it requires that the conditions of slavery should be more or less perpetuated for its benefit. We have heard much of the 'white man's burden'—the burden of civilisation he is supposed to carry. But when we come to examine it we find it extremely light. The burden is only nominally on his shoulders; in reality the weight is transferred to those whose labours are exploited for his enrichment and comfort. The galley and the scourge have disappeared; the task-master still flourishes, and modern ingenuity has armed him with new instruments of punishment. The names are changed, but the substance remains. That this is no exaggeration any fair-minded student of the subject in the Congo, in parts of South and East Africa, will not hesitate to admit. The fearful havoc the work of 'civilising the Dark Continent' has caused among the tribes of Africa can be witnessed not only in the Congo Free State but also in the German East African Protectorate, where, according to the German Colonial Secretary, 75,000 natives perished through hunger and war in the course of the last year, whilst the fierce opposition roused by the efforts of the Minister to improve the status of the negroes illustrates the general thesis. The German settler does not clothe his aims or motives in altruistic language, nor does he call himself the 'trustee' of the black races. He frankly tells the world that 'the native must be compelled to work for him and that when the use of the stick and whip no longer avails, recourse must be had to the imposition of taxes, which he

must be forced to pay by his work if by no other means.'[2]

Civilisation has driven the Red Indians into reservations where they are fast disappearing. It has decimated the fine races of Polynesia and Maoriland. One is sometimes shocked to hear the pious hope expressed in unmistakable language that the black races will in course of time disappear, under the same process, from the favoured spots occupied by European settlers, leaving their possessions as assets to 'civilisation'.

The contact of a vigorous and progressive nationality with communities who had become stationary, or lost the genius for striving for advancement, might in India have given birth to an eclectic civilisation such as was witnessed after the settlement of the Arabs in Spain. There the result was achieved by making racial coalescement the goal. Such a consummation does not seem possible in India. Racial assimilation, owing to national idiosyncrasies, is not practicable: friendly relations between the West and the East afford the best and most likely means of bringing the two on a common platform. Intermixture of ideas where intermixture of races is not possible acts as a solvent to the ignorance and prejudices of both. And an Indian Sovereign has proved how successful this process can be.

To think of impressing European civilisation on the country, and not to enter into the feelings of the inhabitants ; of promoting their welfare without attempting to reach their hearts ; to talk of Western culture and its requirements and not to understand the virtues or idiosyncrasies of those among whom it is sought to be introduced ; to contemn Oriental ways and yet to perpetuate in public life the methods which are deprecated in Oriental Governments, is mere waste of energy.

A few students turned out from one or two institutions with a pat on the back, as the products of advanced education conducted on Western lines, are hardly the harbingers of that progress to which we all look forward with anxiety and hopefulness. The high priests of European culture would probably obtain better results if they were to encourage in the first place among their neophytes the cultivation of originality of thought, independence

2. *Morning Post*, 18 March 1908; debate in the Reichstag.

of character, manliness of spirit, and self-respect, and not merely opportunism or intellectual imitativeness.

At no period in the world's history has there been so much talk about international peace with such ill-disguised preparation for war ; so many protestations about and yet such unashamed contempt for the rights of weaker nations ; such high appreciation of 'civilised' morals with such flagrant disregard for the dictates of ordinary morality. In olden days nations and individuals made no special claims to special virtue, and their shortcomings passed unnoticed. Nowadays the assumption of superiority naturally attracts criticism.

In the United States of America 'graft,' an euphemism for what the Penal Code of India, with a touch of grim humour, calls 'illegal gratification,' has become a science and the art of manipulating justice and politics has been carried to perfection. In the struggle for wealth little heed is paid to the conventional rules about mutual trust and fidelity. Even racial riots may be manufactured in the States and delivered at a fixed charge in neighbouring countries. All this, though no doubt the outcome of the highest development, is little calculated to commend 'civilisation' to less advanced communities, whilst it is hardly possible for its missionaries, with the picture in their minds of the streets of New York and Chicago, to speak to the outside world with the earnestness of conviction in the new gospel that is sometimes assumed towards followers of other cultures.

The ordinary Western mind has rather a vague conception of the East--of its varied creeds and diverse cultures. They are all classed in one category ; some are viewed with positive dislike, others regarded with a certain indifference. But the deficiencies of the West that make it sometimes so helpless to influence the East often escape notice. To exercise a stimulating effect on Eastern thought, the Western world must learn to cultivate a spirit of toleration, to understand the genius of the nations among whom it seeks to work. Above all it has to realise not only the conditions of society that have led to the evolution of particular ethical and social systems, but also its own limitations. To condemn Eastern polygamy, but to close one's eyes on the polyandry of the West, is hardly calculated to foster a proper

reverence for Occidental culture. The Oriental practice sanctioned by ancient usage, and confined within recognised limits by the rules of law, is suited for particular stages of development; it ensures to the issues of polygamous unions a degree of humanity that is impossible under the Western practice. Promiscuity cannot secure to the offspring humane treatment or rational rearing. Baby-farms and foundling hospitals are the natural results of abnormal social conditions. Eastern civilisations have condemned for ages the vice of drink; in the West drastic legislation seems needed to teach the people the value of temperance. Sobriety, however, is a virtue which cannot spring into existence under the influence of an Act of Parliament. Its growth is due in the East to ages of fostering, which the West is so far unaccustomed or unwilling to give. The preciousness of child-life has been taught in the East from immemorial times; the conscience of the West is just beginning to realise the need of its protection.

The difference in the standpoints of Europe and Asia, with regard to social conventions and duties of life, make it essential that in endeavouring to introduce Western civilisation among Eastern communities their ethical standards should be raised and not lowered. Unfortunately the tendency, with rare exceptions, has been in the contrary direction; wherever the West has obtruded itself the general result has not been satisfactory. The Protestant missionary from Madagascar, the observant traveller in Bosnia and Herzegovina, the inquiring visitor in Algeria and Tunis, all tell the same story—of deterioration of morals, destruction of the old standards of right and wrong which imparted strength and character to the races, spread of drunkenness, introduction of the 'social evil' where it was wholly unknown.

Bosnia and Herzegovina, inhabited by a fine race of soldierly men, possessed of admirable qualities, were wrenched from the Ottoman Dominions to satisfy Austrian ambitions, although the ostensible reason assigned to justify the spoliation was the pacification of the country and the introduction of the 'requirements of European civilisation'. The Austrian Government has made roads, pulled down the castles of the feudal lords and established hospitals, jails, and penitentiaries; hotels have sprung up in all directions, and all the outward forms of civilisation are in full

display in the 'occupied provinces'. With these ordinary adjuncts of progress have come also casinos and other places of a less desirable character. And in Bosnia particularly it is observed that the manhood of the country is fast dwindling from the effects of drink, which formerly was under the ban of religious law.

From the fall of the chivalrous Abdel Kader, the French have been engaged in introducing 'Western civilisation' in Algeria and not long ago they brought Tunis within the ambit of their operations. A nation bent on secularising its own institutions has naturally little regard for the old ideals of other communities. In Algeria and Tunis the traditional conventions of morality, that helped to form the backbone of the people, have either disappeared or made room for standards and modes of life borrowed from France. Arab Lolas figure in Algerian casinos and cafe-chantants, and give a Parisian tone to the manners and customs which have sprung up in the country under the influences of a civilisation which considers a code of morals sanctioned by religion as old-fashioned and antiquated. A meretricious taste in art and architecture imported from a foreign land has given a bizarre turn to the national genius which is deplored by all artistic natures; whilst the habit of absinthe drinking is on the increase among men, and the 'social evil' reprobated in former days has become a recognised institution. A notable Mussulman who recently visited the country draws a pitiable picture of the derelict condition of the people.

The Moors, who have the French nation at their door and have watched the civilising process at work in Tunis and Algeria, object to undergo a similar treatment. But Europe will not hear of this; they have been arraigned at the bar of civilisation and condemned as a fanatical people, and France is entrusted with the mission of bringing them to reason, which she is busily engaged in doing with the help of guns and ironclads.

In recent history there has been nothing more interesting, and from one point of view more amusing, than the reiterated proclamation of the absolute unselfishness of the French enterprise in Morocco. It is declared, we might say *ad nauseam*, with vehement protestations, that they have not gone there for purposes of conquest; they are only engaged in pacifying the country, and if

those, who object to the French possessing the best parts of their country and holding their *roi faineant* in tutelage, allow themselves to be slaughtered. it is their look-out!

In this connexion I may refer to a most interesting document in the letters of Queen Victoria. It is a letter addressed by Lord Clarendon to her late Majesty, bearing date the 22nd of December, 1856. Lord Clarendon encloses a communication from Lord Cowley, then British Ambassador at the Tuileries, reporting a conversation he had with the Emperor of the French, which might compare, it was added, with 'the partitioning views of the Emperor Nicholas.' Lord Clarendon then proceeds to say to the Queen:

'It is curious that in both cases the bribe to England should be Egypt. The Emperor of the French said nothing of the spoils that France would look for, but his Majesty means Morocco; and Marshal Vaillant [the French ambassador at the Court of St. James's] talked to Lord Clarendon of Morocco as necessary to France, just as the Americans declare that the United States are not safe without Cuba.'

The empire of Napoleon has disappeared, but his policy, like the great boulevards which he gave to Paris, has remained to dazzle the imagination of France. Like the *hommage* which is periodically offered to the Army engaged in 'pacifying' the Moors, whenever the Chamber passes to the order of the day expressive of a vote of confidence in the Govennment, it is one of the brightest examples of heredity.

Since Lord Clarendon's letter to Queen Victoria, the world has moved considerably forward. So has international conscience. Egypt is virtually a British possession; Cuba belongs to the United States; whilst France has obtained from England an acknowledgment of special, and from Europe, of a paramount interest in Morocco, coupled with what is called a mandate for the policing of Moroccan ports—the first step in the process of 'pacific penetration,' which invariably in such cases has ended in annexation. Thus a suggestion which some fifty years ago does not seem to have been regarded with approval in England has become almost an accomplished fact, and France is now engaged in completing her work in Morocco.

An ex-Prime Minister of England recently condemned, in

unequivocal language, the anomalous situation Europe, in her desire to introduce the mixed blessings of civilisation, has created in that ill-fated country. But the French standpoint seems even to an outside observer perfectly natural; it is not merely the vast extent of the British Empire which stimulates ambition and inspires emulation. A great nation hitherto occupying a commanding position finds its place in the Council Chamber of Europe going to a hated rival. It finds its population stationary or declining, its military strength not keeping pace with that of a dreaded neighbour. To safeguard against attacks it has to rely on alliances and *ententes*. Already the idea is mooted that the introduction of conscription in Algeria would bring a million of soldiers to the army of the great Republic. Morocco is a rich though undeveloped country, especially rich in warriors and fighters. Her coast towns are capable of great development. What the addition of this vast empire with its enormous resources must mean to France it does not require a statesman or politician to imagine. If Algeria can furnish her with a million men. Morocco can double the number; and how the Turcos fought in the war of '70 we all know. With this grand prospect in view few Frenchmen would stop to consider the cost. Germany seems to understand the consequences of such an eventuality in the hegemony of Europe; England of course has the *entente*. But, as Lord Rosebery observed the other day on an occasion of some moment, 'the friends of to-day might be the enemies of to-morrow'.

In the game of politics, in which the nations of Europe are engaged at this moment, the student of contemporary history fails to understand one point: the reason which actuates a large body of English press and some politicians to encourage France—in fact, if a colloquialism may be pardoned in this conjunction, to 'egg her on' in her mad enterprise.

In face of the proclaimed determination on the part of the French Government not to withdraw from Morocco, one may be permitted to indulge in a slight incredulity with regard to the repudiation of all ideas of conquest. In many instances the prosecution of a fixed design is attributed to force of circumstances; and it is not impossible that in the present case, too, an advance from the coast to the desert may be put down to inexorable fate.

It may be worth while, therefore, to consider for a moment the difficulties of the adventure. The subjugation of Algeria occupied the arms of France for a quarter of a century; the prediction may safely be hazarded that the same work will take twice that time in the country of the Moors, men of a different mettle from the Algerian Arabs. A writer with unique knowledge of the people and the country pointed out a little while ago the immensity of the task France has undertaken. She may be able to seize and hold, if the other Powers of Europe acquiesce, a few coast-towns under cover of her ships' guns, but to conquer the land and subdue the warlike tribes of Morocco will take many a battle and many a victory. During this long-drawn process of 'pacific penetration,' the waste in men and money will not add to the strength of France; it may indeed lead to exhaustion of the vital tissues.

If it is essential to Great Britain as one finds it constantly enunciated of late, that France should retain her power unimpaired, it seems a little surprising that she should be encouraged to pursue her present course amidst enthusiastic plaudits. One would have thought that the acquiescence of Germany in the French operations on the coast might have conveyed a warning that France was playing a game not to her own advantage; that she was only throwing away good money for bad, furthering other interests and making herself more hated than ever by the people whom she was deputed by Europe to civilise. So far, in spite of high coloured reports, she has neither added to her prestige nor gained any material advantage, but she has succeeded in filling the Mussulman tribes of North Africa with fear and hatred.

It is a fact worth noticing that whilst Germans and English, who are supposed to have no designs on Moorish independence, are viewed with favour, the French, and to some extent the Italians, are regarded with distrust. Little surprise will be felt if, under the influence of this feeling and of the news from the coast, a general conflagration were to break out in those regions. The love of independence and devotion to their religion that animate these people is usually called fanaticism. Might not some credit be given to them for patriotism? They have deposed an inept monarch and placed in his stead a more capable ruler on the

throne. He seems anxious to live in amity with the nations of Europe, to admit the requirements of European civilisation into his country with due regard to the prejudices and susceptibilities of his subjects, to make amends for any wrong they may have done to the foreigner ; he seeks even to grant generous terms to the deposed Sultan.

That a competent chief who alone seems capable of restoring order and peace to the distracted country, and who has been accepted by the nation, should be regarded with disfavour and designated as 'the Pretender,' is a curious commentary on the ethics of international politics. The inference is natural : either Europe or France does not wish to see the throne of Morocco occupied by a capable ruler. It is far easier, it would seem, for the accomplishment of ulterior designs to work in the name of an incapable sovereign.

These reflections help to expose the hollowness of the claims to superior morality advanced on behalf of modern civilisation. In the eighteenth century the same game was played in India ; and the more skilful, perhaps more honest, player won the day. The hundred and fifty years since the fall of Dupleix and Lally have made little difference in national conscience or national methods. Neither the tactics nor the protestations of altruism have undergone much change : only in the present instance the chess-board is nearer and the circle of onlookers larger, and the dexterous player has this advantage, that his adversary has no outside backing—the game is more or less in his hands.

Every lover of humanity must recognise the blessings which modern civilisation has brought to the world : but it would be sheer self-deception to shut one's eyes to the ills to which it has given birth or which it has intensified ; to the hypocrisy of a great part of modern life : to the relegation of national and individual duties to the background in favour of hollow show and pretensions, above all to the apotheosis of money and power.

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SPEECH AT THE LONDON MUSLIM LEAGUE INAUGURAL MEETING*

[*The Times*, 7 May 1908]

In the course of his inaugural address the Chairman said that the occasion was not without importance, for it was the first gathering of the King's Mussulman subjects in the metropolis of the British Empire to ensure corporate action for their advancement. So far from being actuated by sectional or factious motives, their primary idea was to promote concord and harmony among the different nationalities of India, and to work in furtherance of the general interest of the country and the cause of good government, in co-operation with their fellow-countrymen of all classes and creeds. But for this purpose, as also for the purpose of safeguarding and prosecuting their general interests, they felt the necessity of cohesion and solidarity among themselves. It was useless denying the fact that hitherto the Mahomedan community had in the administration of the country been regarded as a negligible quantity. Their inability so far to derive full benefit from the progressive movements of the time, or to exercise their legitimate influence on the counsels of Government, had been attributable to various causes, among them being their slowness in the first instance to take to English education, and their failure to recognise as a body the value of corporate and communal activity. The process of disintegration, assisted from outside, had gone on for nearly three quarters of a century until Mahomedan society was composed only of cliques and factions with conflicting aims and ambitions. But in

*The meeting was held at the Caxton Hall on 6 May 1908.—*Editor*.

recent years great changes had occurred in India, and at last the Moslem community had awakend to the fact that attainment of its ideals and the recognition of its rights rested upon its own collective exertions. The formation of the All India Moslem League was the outcome of this recognition and it existed to promote by all constitutional methods the welfare of the Mahomedan subjects of the British Crown, and to safeguard their interests without wantonly hurting the feelings or illegitimately encroaching on the rights of any other community. He adhered to a principle he had publicly expressed in London when a law student 37 years ago, that "United India should be the watchword of our progress," which he had since consistently followed. The Mahomedans, equally with the other communities, were interested in the broadening of the foundations of Government on real liberal lines, in the broadening of the bases of sympathy between the official classes and the people; in the growth in India and in the colonies of better relations between Easterns and Westerns, in the development of representative institutions, and in the improvement of various departments of administration. But the Mahomedans had their own particular interests, and could not strive for the attainment of their ideals under the aegis of any organisation other than their own. As examples of directions for definite communal effort, he mentioned the desirability of moving the Legislature to undo the mischief that had resulted from judicial pronouncement against family *wakfs* (endowments), or against the legitimacy of children of a Moslem female convert; of asking for an adjustment of the political balance; and of founding a Moslem place of worship in London. It would also be an object of the organisation to bring Mahomedans into touch with the leaders of thought in England. He concluded with an expression of horror and abhorrence, shared, he was certain, by all true friends of India, at the cruel outrage at Masuffapur [*sic* ? Muzaffarpur]. He wished he could hope that the deed was an act of isolated malice or individual vindictiveness; but he greatly feared the poison had been allowed to go too deep to justify such hope. He had endeavoured to represent to responsible people the necessity of dealing not merely with symptoms by palliatives, but of trying to eradicate the poison by reaching the heart—the inner feelings of the people.

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SPEECH AT THE LONDON MUSLIM LEAGUE BREAKFAST MEETING*

[*Civil & Military Gazette*, 10 December 1908]

The chairman said that the gathering was designed to bring some of the leaders of political thought in this country into touch with Indian Mussulmans, and thus to stimulate the interest of English people in a community forming nearly 70,000,000 of the population of India. In view of their traditions, religion and race, their interests could not be identical in all respects with those of the rest of the people of India ; and hence it was incumbent on them to combine and work loyally together for the promotion of their own welfare. While they desired to work in harmony with the rest of the loyal elements in India in advancement of the general interests of the country, their position was perfectly distinct. They believed that the continuous development of their country was dependent on the permanence of British rule in India, and on the loyal co-operation of the people of India with the servants of the British Crown. They recognised the necessity of improvement in different directions in order to bring the administration into line with all legitimate Indian aspirations. They did not pin their faith on political reform alone for the development of the country. The promotion of education, the harmonious development of the country, and the improvement of the judicial administration took

*The London branch of the All-India Muslim League gave a breakfast to friends of the Indian Musalmans at the Westminster Palace Hotel on 17 November 1908, with Sayyid Ameer Ali in the chair. This speech was delivered on this occasion.—*Editor.*

rank in their minds with the larger representation of the people upon the legislatures and local bodies. Their special needs included measures for the preservation from disintegration and pauperisation of Mahommedan families, a process now going on owing to the Moslem laws of family inheritance. They had to urge upon the Government here and in India the proper application of existing funds, which were now being wasted, to the purpose of the education of Mussulmans upon broad, modern lines. They also urged the necessity for the direct representation of Mussulmans upon the representative bodies which were about to be established in India in accordance with the requirements of the present time, and which had been foreshadowed in the Royal Message. They also desired to suggest the larger employment of qualified Mahommedans in the service of the State. The educational standard needed to be adjusted to the changed conditions of the times.

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SPEECH AT THE ALIGARH DINNER, 1908*

[Ameer Ali Papers]

The Mohammedans of India have been so far the victims of adverse circumstances. In the early part of the latter half of the nineteenth century they were viewed with distrust, and English writers, even of standing, indulged in homilies against them. That phase disappeared towards the end of the 'seventies; since then the attitude towards them has not been of an uniform character. Had they, with the advance in English education in their midst, recognized as a body the value of corporate and communal activity, their position would not have been as it is now, one of comparative subordination. In this respect they have only themselves to blame. It is owing to the absence of unity of purose and aims, to the absence of an organization to give collective expression to their views and sentiments that, as a people, they have neither been able to claim nor to receive the recognition that fell properly to their share. Again, the disintegrated condition of Mahommedan society brought about by causes over which they had little or no control, has proved a serious drawback to national advancement and has rendered futile isolated attempts for the general improvement. The process of disintegration, assisted from outside, has gone on for nearly three quarters of a century until Mahommedan society is composed now only of cliques and factions with conflicting aims and ambitions. A community which is unable to exercise corporate influence on the administration, which has no clear

*No details about this speech are available. I am reproducing it as I have found it in the papers. —*Editor*.

conception of its own needs and requirements can hardly expect any other result. Absolute apathy excused by a pathetic dependence on the good intentions of a benevolent government, or divided efforts stimulated by ill-conceived public zeal or personal ambition, are during the whole of this period the main characteristics of the political life of the Mahommedan community.

Our Hindoo compatriots have two great organizations, besides several minor ones, for the advancement of their people. They possess solidarity, know exactly what they want, work it with a purpose, and their voice naturally carries weight both here and in India. The Mahommedan community can hardly pride itself on its place or its influence in the body politic. The progress of a nation does not depend merely on the education of its youth in modern literature and modes of thought, however much it may be combined with its own classical learning. Such education at best only influences the individual mind and character. To keep pace with advancing communities the youth of the nation—and not only they—have to learn, with the responsilities of citizenship, the value of communal life and activity in the promotion of its well-being. And more, that the attainment of its ideals and the recognition of its rights rest upon its own collective exertions. The consciousness of this fact has come to us rather late. But it is a matter of gratification to me personally and I am sure to you all —that at last we as a people have awakened to it.

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MOSLEM REPRESENTATION AND INDIAN REFORMS

[Letter to *The Times*, 14 January 1909]

There is evidently some misapprehension in some quarters regarding the atttitude of the Moslem League (and of the Mahomedans generally) towards Lord Morley's scheme of Indian reforms, and attempts are being made to discount or discredit Mahomedan feelings and opinion.

The Mahomedans generally with other moderate sections of the population gratefully acknowledge the extension of political privileges. But they are bound to examine the details so that in the practical application of the scheme they may not be placed at a disadvantage. This, they believe, would not only be contrary to the intentions of Government, but probably prove fatal to the successful working of the reforms. In asking for modifications such as would probably safeguard their interests, they ask for no special privilege in derogation of the just rights of any other class or community; they demand nothing more than that their representation on the Councils and other representative bodies should under the projected reforms be real and not illusory, substantial and not nominal. They are anxious to work in harmony with all sections of the population, but they will not consent to be dragged at the wheels of a majority along any course it may choose to take. This, if I interpret rightly the feelings and opinions of my people, is the position they have taken up.

During the whole course of my public life I have consistently laboured to promote concord and good feeling among the two

communities. I have always maintained cordial relations with leading Hindus. My remarks, therefore, will perhaps be free from bias of any kind.

In India the rank and file of the two communities are still widely divided in habits, customs, and traditions of race and religion—a more dominant factor than in European countries—all of which tend to produce the feelings and thoughts which govern the actions of peoples. The Hindu is most anxious to preserve and extend the ascendancy he has gained, the Mahomedan aspires to obtain a share of the benefits promised to India by British rule. Under existing conditions and in the present state of feeling among the general body of the two nationalities a system of popular electorates recommended in the despatch of the Secretary of State would lead to constant friction, heart-burning, and complaints. In certain localities (and recent events fully justify the prediction) worse results may be apprehended.

That a joint electorate consisting of Hindus and Mahomedans under such conditions would not assure adequate representation to the Mahomedan community would be obvious to any unprejudiced mind. But the question has been clouded with so many fallacies that it becomes necessary to call attention to some of the salient features of the proposal against which Mahomedan opinion has unanimously ranged itself.

Under the proposed scheme (without going into details) the electoral machinery at every stage would be controlled by an overwhelming non-Moslem majority versed in modern political tactics. This explains the exultation with which it has been received and the tenacity with which the Mahomedan demand for communal representation is objected to. In electorates of the kind proposed every effort would be made to divide Mahomedan votes, and to return to the electoral colleges and the Councils only such Mahomedans as would be acceptable to the majority. At this moment in some parts of the country "Extremist" views are predominant; here it is needless to say, no Mussulman, unless he subscribes to these doctrines, would have the remotest chance of election. Not much exercise of imagination is required to understand the combination by which a Mahomedan unacceptable to the majority may be defeated.

In considering the question of mixed electorates another fact must be borne in mind. The two communities often differ greatly in material circumstances. No Mahomedan is found following the vocation of Sowcar, Mahajan, or Baniah ; in the legal and other professions his number can hardly be compared to that of the Hindus. In State service the disparity is striking. Owing to the difference in the standard of living, rank to rank, generally speaking the Mahomedan is less affluent than the Hindu. Under these conditions the franchise qualification would have to be sensibly modified, otherwise the franchise limit would be so narrowed as to make Mahomedan representation practically of little value.

To allay Mahomedan apprehensions Lord MacDonnell stated in *The Times* of January 6 that Lord Morley's scheme aims at securing to the Mahomedans a proportionate *minimum* representation ; and that "it does not preclude the electors or the majority of them for foregoing [*sic*] the advantage they possess, and giving to the minority at a particular election a larger representation than the *minimum* to which under the scheme they are entitled". So that, according to him, if one Mahomedan obtained the entire Mussulman votes, and another a large number of Hindu votes, the result would be that the Mahomedans instead of one would have the good fortune of possessing two representatives. With some experience in the interpretation of documents, I venture to say that the language of the despatch furnishes no warrant for Lord MacDonnell's construction. The intention may be there ; it is not only not expressed, but the context rebuts it.

Assuming, however, that Lord MacDonnell's interpretation is correct, it would be considered a very mixed blessing. A Mahomedan brought in wholly or partly by Hindu votes would be pledged wholly or partly to the views of his political supporters : he would be used as a counterpoise to his Mahomedan colleague, and, to use a colloquialism, would often be putting a spoke in his wheel. Illustrations of how this may be done are not wanting in the House of Commons. A nominee of the majority posing as a Mahomedan representative would often do more harm to Mussulman interests than if they were wholly unrepresented.

The principle of proportional representation possesses, no doubt, the recommendation of simplicity as furnishing an easy solution

to an unprecedently difficult problem, but its simplicity should not, it is submitted, lead us to overlook the prejudice it would cause to the Mahomedans. There is no question the Hindu population largely exceeds the Mahomedan in number; but the real figure in the first case is swelled to its stated dimensions by the inclusion of masses of people whose very touch the real Hindu regards as defilement, with whom he would hold no social converse and who are called, or call themselves, Hindu for census purposes alone. Communities like those of the Chandals, Chumars, Musahirs, Bhanhis, etc.—names familiar enough to the Indian administrator—can never hope to rise in the social scale, or to sit in the same assembly as the caste-people, the real Hindus. They will in all probability never hear of Lord Morley's scheme or take the faintest interest in its working. The Mahomedan number, according to official figures, over 53 millions. They are unequally distributed over the whole country, and vary in material and social conditions, not only in the different provinces, but in different parts of the same province. The only province in which there is any approximation in the circumstances of the two great communities is the Punjab. Here, the followers of Islam, like the Hindus, are found in all strata of society. Here, therefore, it may be possible to apply the principle of proportional representation without prejudice to the interests of either. But in the other provinces the conditions are totally different. For example, in the United Provinces, the upper and middle classes of Mahomedans are mostly office-holders, scholars, professional men, and what in French would be called *rentiers* of different degrees – descendants generally of men who occupied good positions under the former rule. The social importance of the Mahomedans in the life of the province, as has been admitted by successive governors, can hardly be guaged by their numerical proportion. Proportional representation applied to the United Provinces would work enormous injustice to Mahomedan representation, and would create a feeling of resentment, of which indications are already forthcoming. The same remarks apply to the other provinces.

If Mahomedan representation is to have any meaning, it must be, as the Mahomedans urge, adequate and substantial. If the Mahomedan representatives are to be of any practical use to their

people or to the State, their number on the Councils and on other representative bodies must be such as to give their utterances some weight. And this has become especially important owing to the decision of the Secretary of State to give non-official majorities to the Provincial Councils and the further extension in their powers and privileges.

The importance of a nation cannot always be judged on numerical considerations. Whatever may be the view regarding the historical and political position of the Mahomedans, to which the Government of India attaches some value, Mahomedan loyalty is an asset to the Empire which I venture to submit ought not to be lightly put aside.

AMEER ALI

Reform Club,
January 9 [1909].

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DEPUTATION TO THE SECRETARY OF STATE FOR INDIA : 27 JANUARY 1909

[Ameer Ali Papers]

We are extremely obliged to your Lordship for granting us the opportunity to place before you the views of the Moslems of India on the question of the important reforms which, under your Lordship's auspices, are to be introduced in India. We come, not only on behalf of the League in London, but also in India, for we have been authorised to represent their case before your Lordship. They deemed it advisable to send delegates over to co-operate with us in this matter, but, considering the difficulty and the delay it involved, they decided at present to leave representation of their case in our hands. We are conscious of the responsibility that has been imposed on us, and we only hope, my Lord, that we shall be able to do our duty satisfactorily to our people, and also to be of some assistance to your Lordship. Before proceeding to state our views on specific points, I shall ask permission to make one or two preliminary remarks. We welcome most cordially, most heartily, the extension of political privileges to His Majesty's Indian subjects. But to make the projected reforms a real success our co-operation with the servants of the Crown and our fellow-subjects is as much needed as it is in all matters concerning the progress and welfare of the country. My Lord, whilst we welcome these reforms, we welcome them in the conviction that, in their practical application, our status and interests will be kept in view. We do not wish, and cannot consent, to be placed in a disadvantageous position. We are anxious

that whatever boons are conferred on, whatever political concessions are made to, the people of India, we should have our legitimate share in those concessions. We ask for nothing in derogation of the just rights of any other people. We seek no special privileges; we want only our legitimate share in political rights and political privileges, and nothing more. If, in the language of the Royal Message to the princes and peoples of India, new avenues are opened out for the participation of educated Indians in the government of the country, our people wish that their share should be kept in view. If new elements are to be introduced into any of the great Departments of State, we expect, in fairness and justice, that they should be equally balanced; and if any important departure is made in administrative policy, we want that the interests of the two great communities in India should be so co-ordinated that neither the one nor the other should be in a position to say its interests were sacrificed or subordinated to the interests of the other. That is the position we take up. The foundation of British rule in India rests upon the conviction among the people that equal justice is the chief policy of the British Government in its dealings with the varied races of that Continent. Speaking with the full consciousness of the responsibility imposed upon me, I say it would be an evil day for India if any class or any community comes to think that the interests of one community are in any way subordinated to the interests of the other. It has been said that the Mohammedans form a minority among the population of India. There, they do not equal in numbers the other great community which inhabits India, but they are seventy million souls, fifty-three of whom are under British rule. They have common ideals, and by traditions of race and religion form a nationality apart from all other people in India. To call them a minority is a misapplication of the term, and to regard them in that light would be an injustice to the Mussulman people. We form a nationality as important as any other, and our wishes, sentiments and interests should, we conceive, form as important factors in the consideration of policy and measures as those of any other. If the vast masses of low-caste people who are nominally Hindus were excluded from the Hindu figures, certainly the disparity which now appears

between the Hindu and Mohammedan populations would not strike as so great or so disproportionate. These tribes and communities nominally Hindu for the purposes of census, have nothing in common with the real Hindu, to whom their touch, often their very shadow, is pollution. They can never rise out of the degraded state in which they live and have lived for centuries. Save the British official, they have no representative or protector. Some of them have made desperate efforts to break the shackles that have bound them for ages, but they have been thrust back to their thraldom by, among other things, the judicial recognition of ancient usages. In the great reforms about to be introduced they will have no lot or place, nor are your Lordship's benevolent intentions ever likely to reach their ears. They have remained, and will remain for many decades, maybe centuries, the degraded castes of India. But it would be disastrous if by placing all power and influence in the hands of privileged classes their emancipation should be made difficult in the future. To include these communities, however, in the Hindu population, and then to compare it with the Mohammedan population, does not appear to us just.

I now come to the specific points which we wish to place before your Lordship for consideration. The first is the question of joint electorates. We feel that to confide the election of our representatives to mixed electorates would be most detrimental to the Mussulman people. Your Lordship is aware of the sharp cleavage that has taken place recently between the political conceptions of the Mohammedan people and some sections of the other communities. You are also aware of the other divergencies which exist between the Mohammedans and the non-Moslem people in India, divergencies which ramify in all directions. It might perhaps startle people in England if they were told of the trifling incidents which often inflame passions on both sides. I do not wish to dwell particularly on the character of these incidents. I only refer to them to show the gulf which still separates the rank and file of the two communities, and which the administrator must always keep in view and the statesman take into consideration, when dealing with general questions affecting both the races. Having these divergencies in view and the cleavage which has recently taken place the Mussulmans of India consider it

extremely important that their representation should not be dependent on the goodwill of any other people. The important deputation that waited upon the Viceroy in 1906 emphatically urged upon His Excellency that the separate representation of the Mohammedans should begin from the lowest rung of the ladder and go up to the highest, namely, the Viceregal Council. In that way alone will they get any benefit from the concessions which you are so generously going to inaugurate in India. It is admitted that Mohammedan representation has been most meagre under the present system on rural and district boards and municipal corporations. They serve as practical illustrations of what will happen if the system of joint electorates for the Councils [is] introduced. The Government of India has admitted that Mohammedan representation has been most unsatisfactory so far, and for that reason proposes a supplemental addition of Mohammedan members elected by Mohammedans. If it be admitted that the nominees of another body, not altogether in agreement with Mohammedan opinions, cannot really or effectively represent Mohammedan wishes and feelings, in that case the matter does not require further discussion.

We say, further, that the principle of proportional representation would be fatal to our interests. The Government of India recognises, if I am not mistaken, the difficulty of meeting the requirements of the Mussulman people, if its representation is to be based on a consideration of numbers. Whatever may be the value of the system of proportional representation in countries where the people are in the main homogeneous, we submit it is wholly unsuited to India. Save and except in the Punjab, where the Mussulmans preponderate in numbers, there is hardly any approximation between the two races. The Mohammedans say, if proportional representation happens to be introduced into India their representation would be completely swamped. In answer to this, it is said the Government can hardly take into consideration the political and historical importance of any community in judging of the question of representation, and the Mohammedan position is compared to that of the Sikhs and the Parsees. We submit respectfully, but emphatically, that the position of the Mussulman people has no analogy to that of the minor communi-

ties of India. Neither in importance nor in numbers are they in any way analogous to] them. We share the burden of defending the empire to the same extent as our fellow countrymen, and we probably supply to the Indian Army a larger number of soldiers than most others. It is easy to say, if representation is to be conceded to Mohammedans on considerations of political and historical importance, the Sikhs should also be taken into account. That is a false analogy. In the first place, the Sikhs are accounted as Hindus, and in the second place, they number not more than two million souls. The Mohammedans stand on a totally different footing, and we submit that their position should be considered on a totally different basis. That other elements besides mere numbers must enter into consideration in determining the number of representatives from each community is clear from the case of Eastern Bengal. Here the Mahommedans are in overwhelming majority. Supposing they were to ask that Mohammedan representation should be preponderant, they would be met with the answer: Look at the pleaders and lawyers, spread all over the country, who dominate the counsels of Government, they are Hindus and come from Eastern Bengal: look at the merchants, traders, landlords, who have taken the place of the Mohammedan zemindars and see how important they are. And the relative positions of the two communities would justly be taken into account in fixing their representation. If that argument is good for one people in Eastern Bengal, it applies with equal force in the United Provinces and Provinces similarly circumstanced to the case of the other. In the United Provinces, the Mohammedans are 14 per cent of the population, whilst the Hindus are said to be 86 per cent, although if the degraded castes were eliminated from these figures the disparity would not be so great. Considering the admitted importance of the Mohammedans in the social economy of the Province, they ought to have far greater representation than is proposed to be conceded to them. We say, therefore, that the principle of proportional representation is not applicable to India and, if introduced, would be most prejudicial to the interests of the Mohammedan community. We submit that the ratio of representation should be left to the executive authority, to be determined upon considerations of

Imperial policy and local conditions and circumstances. Our representation, we beg to urge, should be not only adequate, but substantial in order to give us an effective voice in the deliberations of the various assemblies. Having in view the fact that under these reforms the privileges of the non-official members will be considerably extended, it is extremely important that our community should be represented in sufficient numbers to be able to exercise some weight, some influence on the Councils. My people will not be content with any representation which is less than adequate and substantial. On general questions racial and religious differences will probably not enter into competition, but contingencies are certain to arise in which the interests or the views of the two communities do not coincide. On these occasions it would be necessary to take into account the balance of parties. We submit that in the constitution of the Councils it should be the aim of His Majesty's Government, and of the Government of India, to have them so balanced that not only the administrative machinery should run smoothly, but also that no party should be able to outvote the just claims of a less powerful party. We, therefore, submit as a standard of adequate representation that the number of Mohammedan members on the several Councils should be so fixed that if the Mohammedans were to join a certain number of what may be called non-partisan members, or to receive their support on any particular question, the issue may be decided accordingly. Unless some standard of that kind is adopted, and our position sufficiently assured on the reformed Councils, our representation will be anomalous, and our representatives will exercise little influence or weight. One other matter we wish to lay before your Lordship, which is embodied in paragraph 21 of our Representation: "The Committee further submit that as in the opinion of His Majesty's Government the time has arrived for the introduction of the Indian element into the Executive Councils, in the interests of the Empire, both the great communities should be represented. They consider that the introduction of a member from one community only will be regarded as seriously prejudicing the rights and interests of the other." Our people believe, my Lord, that representatives from both communities as advisers to the Government of India—whatever

may be the designation given to them—would be of great assistance in the administration of that country. But they consider it would give rise to serious difficulties if one community was represented and the other left out. We thank your Lordship for the patience with which you have listened to me. I know that the task you have undertaken is one of the most stupendous character which any Minister of the Crown in your position has undertaken, but our people feel sure that at this stage, which we consider to be the turning point in our national existence, the balance will be maintained fairly and equitably, and our interests will not be subordinated to that of any other community.

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THE MAHOMEDANS AND THE INDIAN REFORMS

[Letter to *The Times*, 20 May 1909]

Will you allow me to say a few words with regard to the Viceroy's telegram to the Secretary of State which was published on the 10th and appeared in *The Times* on the 11th inst.? His Excellency has quoted in it a passage from a letter of the special sub-committee of the All India Muslim League (Aligarh) dated February 4 last, in order to indicate that the Mahomedans approve of the proposals of the Government of India. Detached from its context the passage quoted appears inconsistent with the general Mahomedan attitude towards mixed electorates ever since the Deputation to Lord Minto in October 1906.

The special sub-committee's letters, written when the whole question of Mahomedan representation was in a fluid state, was published in the *Times of India* on February 8, from which I derive my knowledge of its contents. It begins with expressing the relief caused to the sub-committee by Lord Morley's reply to the Moslem Deputation that had waited on his Lordship a few days before, reiterates the Mahomedan objection to mixed electoral colleges, lays stress on the fact that members elected by such mixed electoral bodies would "only be mandatories and nominees of a non-Moslem majority," urges that the denominational element should be carried down to the very base in exclusive Mahomedan electorates, and adds that without wishing "to raise an iron wall for ever between Mahomedans and their Hindu countrymen, what it (the League) does desire is that, considering

the conditions prevailing in India, real effective, and truly Mahomedan representatives are essential in the best interests of the country". It then waives the objection to the election of non-Mahomedan representatives by Mahomedan electors at the final stage. This last position was immediately repudiated by the Deccan and other Leagues and was subsequently abandoned by the Aligarh sub-committee.

After saying "that if the full due of the Mahomedans as to number of seats in the Councils can be secured to them by means of *separate* and *denominational* electorates (the italics are mine), of which the Mahomedan section of the Rural and Municipal Boards may form a part, the Mahomedans have no desire to court the resentment of their non-Moslem countrymen to vote again on the same Boards for the purposes of returning members to the Councils," it makes various suggestions with regard to the Executive Councils.

Incidentally, by way of *intermezzo*, comes the passage furnished to the Viceroy, in inexplicable disregard of all that precedes, for the discomfiture of the Mahomedans. It begins with the words. "It is impossible for me to pass on to the consideration of the second part of this subject without submitting to your Excellency that the despatch of the Government of India." etc.

My inference from the passage quoted in the Viceroy's telegram, read with the context, is that the special sub-committee had somehow received the impression that the Mahomedans were to get 10 seats on the Viceroy's Legislative Council, and that this prospect led to the exuberant expression of gratitude.

Anyhow, the objections to mixed electorates are emphatically and unambiguously expressed, and hardly warrant the conclusion that the special sub-committee approved of the proposal for leaving Mahomedan representation even in part in the hand of mixed electorates.

I submit that the position is by no means so simple as is assumed in the telegram. The great barons of Oudh, headed by that distinguished and public-spirited nobleman, the Raja of Mahmudabad, the Mahomedans of Bengal, with his eminent colleague in the Viceroy's Council, the Nawab of Dacca, at their head, the Punjab, the Deccan, and Madras Leagues, the Central National Mahomedan

Association, led by Moulvi Abdul Jubbar, Khan Bahadur, C.I.E., one of the most respected leaders in Bengal, and Nawab Bahadoor Syed Ameer Hossein, C.I.E., ex-Member of the Viceroy's Council, the Anjumun-i-Mussulmanan, Bengal, under the leadership of Prince Jehandar Mirza and Dewan Fazli Rubbee, the Mahomedans of Rangoon, Pubna, Fyzabad, Allahabad, Rae Bareilly—to give only a few names at random—have emphatically condemned mixed electorates and have insisted on special electorates from top to bottom as the only means of securing to the Mahomedans a real and genuine share in the political privileges that are being conceded to the peoples of India.

The resolutions passed at these meetings have, according to my information, been in every case telegraphed to the Viceroy; but judging from his telegram they appear not to have reached him.

In the face of this overwhelming evidence it seems hardly consistent with equity—and I say this with all respect to the eminent statesman who with Lord Morley is interested in the success or failure of the reforms—for the Government of India to pin the general body of the Mahomedans down to an isolated passage from a long and somewhat discursive letter, and to meet all their demands solemnly conceded not once but repeatedly with a . . .[1] complaint and constant heart burning amongst the Mahomedans and, what is worse, a fruitful source of discord.

But supposing the mixed electorates were to return some Mahomedans, what would be the result? The Mahomedans who would be so returned, as a leading Mahomedan of the Punjab points out, will be mere "mandatories of the majority" by whose goodwill and support they secure their return; they will come pledged to the political programme of their supporters and constituents, they would be constantly at variance with their Mahomedan colleagues. The Mahomedan party will thus be split up into two factions; Mahomedan opinion will lose all weight and influence, its usefulness will be lost both to the Government and the Community, and Mahomedan representation will become an unedifying spectacle and a farce.

1. One or two lines at this place are illegibly photocopied. This small gap, however, does not affect the substance of the letter or of the argument.—*Editor.*

Surely it cannot be the intention of either the Government of India or of his Majesty's Government that the "Reforms" should end in this *impasse*.

Yours faithfully,

Reform Club, May 14 [1909] AMEER ALI

P.S.—Since the above was written detailed reports of the great meeting of the Mahomedan notables of Oudh have come to hand. and I find that it was presided over by the venerable Raja Sir Tassaduq Rasul Khan, K.C.S.I., Raja of Jehangirabad. whose presence is most significant.

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TELEGRAM ABOUT MORLEY-MINTO REFORMS

[*The Times*, 16 November 1909]

As far as can be judged at first sight, the new rules and regulations for the enlarged Indian Councils represent a considerable advance on the original proposals of the Government of India, and I trust it may be possible for Indian Mahomedans to give them a fair and not unsympathetic trial.

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THE ENLARGED INDIAN COUNCILS

[Letter to *The Times*, 17 November 1909]

The decision relative to Mahomedan representation on the Supreme Legislative Council, a summary of which has been telegraphed to England, is so different from any of the schemes considered and suggested by the Mahomedans themselves, that it is hardly possible to pass an opinion without considerable reserve.

Regarding the representation of Mahomedan landholders on the Supreme Legislature, there were three proposals before Government:

(1) That the two Mahomedan representatives should be elected by a mixed electorate consisting of Hindu and Mahomedan landholders. This was the original proposition put forward by my friend Raja Sir Ali Mohamed Khan of Mahmoodabad.

(2) That they should be elected by a special electorate consisting exclusively of Musulman landholders. This suggestion was favoured by a large number of Mahomedans.

(3) That they should be elected by the general Musulman electorate. This was the scheme urged by the London Muslim League in its last representation to the Secretary of State and favoured by the bulk of the Musulman community. Its object was to ensure a certain solidarity for purposes of national progress among the different classes. Considering the want of interest which still prevails amongst the Musulmans in matters pertaining to the well-being and development of the community as a whole, this proposal was thought the best for the needs of the people.

The method adopted by Government is an amalgam of the first two proposals in respect of four provinces. It omits from its purview Western Bengal and Madras, and makes no provision for the apprehended contingency in certain circumstances of a Mahomedan landholder not being elected in Sind or the Punjab.

In spite of these and other features which create misgivings, the method now adopted represents an advance on the original proposals of the Government of India. I hope the Musulmans will give it a fair and loyal trial as an attempt to fulfil the pledges so explicitly given and so explicitly relied upon, especially as you indicate it may be assumed that a representative by nomination will be given to Baluchistan and the Frontier Province, which, although it chiefly produces soldiers, may be regarded as one of the most important provinces of the Empire.

The subject may, for the present, be regarded as *res judicata*, and I trust that the two communities whom the constitutional experiment mainly affects will work together in harmony and concord to make it a success. By bringing the representatives of the two people into the Council Chambers and on the public platforms on fairly assured terms, it will, I venture to hope, lead to the growth of that spirit of compromise and mutual toleration on which depends the ultimate success of the reforms, and without which the welfare and progress of the country will be in jeopardy.

Yours faithfully,

AMEER ALI

Reform Club,
Pall Mall, S.W., November 15 [1909]

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PRESIDENTIAL ADDRESS TO THE MUSLIM LEAGUE DELHI SESSION : 29 JANUARY 1910[1]

[*The Times*, 31 January 1910]

Mr. Ameer Ali characterised the Musulman attitude throughout the discussions arising from the reform proposals recently inaugurated as singularly sober and moderate. The subject might be regarded for the present as *res judicata*, and he sincerely trusted that the two great communities whom the reforms mainly affected would decided to work together for the good of their common country. National development, even the fulfilment of the dream of self-government, depended on the co-operation of both races in a spirit of amity and concord. He had used the word "dream" in relation to self-government because he felt that for many years to come British rule in India was a vital necessity. He firmly

1. Sayyid Ameer Ali had accepted an invitation to preside at the Muslim League session to be held in Delhi in January 1910; but owing to his elevation to the Judicial Committee of the Privy Council he was unable to leave England. The address that he had prepared for the session was sent to India and read out. I have not been able to find a complete text of this address. Long summaries were published in *The Times* of 31 January 1910 (from where the present item is reprinted) and in the *Civil & Military Gazette* of 1 February 1910 (which is printed in an appendix so that readers can get as full a text as possible by collating the two available versions). It is not clear who read out the address on behalf of the Sayyid. *The Times* reported that this was done by Sir Ali Muhammad Khan, Raja of Mahmudabad, the *Civil & Military Gazette*, in the course of publishing very detailed reports of the session, said that Mr. Muhammad Shafi did so. I have not been able to check the accuracy or otherwise of these two reports.—*Editor*.

believed that if Great Britain were to lose her hold over India before the diverse races, creeds and nationalities had thoroughly learned the value of a spirit of compromise and toleration in the management of public affairs—before they clearly understood the responsibilities of citizenship—it would mean a relapse into the anarchy of 150 years ago, a fierce religious and racial struggle, and a collapse of the fabric so laboriously built up within the last half-century.

It would be rank ingratitude if Indians, Hindus and Mahomedans alike, were not to recognise the greatness of the work achieved by England with the legacy left to her by India's previous rulers. To the Musulmans the permanence of British rule was a matter of the utmost importance. Their sympathies and their interests extended far beyond the limits of the Indian continent. The peaceful maintenance and development of all they valued depended on England retaining her predominant place in the Council Chambers of the civilised world. It was therefore essential that they should associate themselves wholeheartedly in the maintenance of law and order, that they should co-operate in all loyalty of spirit with the servants of the Crown to promote the country's welfare, and that they should put aside any wild and visionary dreams about India's sudden emergence to independence. Self-government would, in the natural course of evolution come, as elsewhere, when the races of India had learnt, individually and collectively, the value of self-restraint and discipline, of compromise and mutual toleration. It now behoved them all to impress on their rising generation the duties of loyal citizenship. Of course he did not wish to recommend that they should cease to urge their claims to share in the benefits of British rule, or to raise their voice against the unfair treatment of their fellow-countrymen in any part of the Empire, or to forgo their right to question arbitrary acts of executive authority. So long as they worked in the spirit he had indicated, no man would have a right to complain of the loyalty and sincerity of their motives or of the justice of their action.

As a consequence of the administrative conditions recently introduced, he feared that political pursuits would in the future largely engross the activities of the Indian peoples. But they must

not allow all their energies to be absorbed in politics. They must remember that the economic and material conditions of the community was of the utmost importance. They would have to consider, among other problems, how best to prevent the impoverishment of Musulmans and the passing of Musulman estates into other hands; how to foster industries among them, to encourage trade and commerce, and better and more practical use of academic learning.

Discussing the question of impoverishment of Musulman families, he pointed out that the Founder of their faith had ordained a system of *Wakfs* providing a remedy against the consequences of infinite subdivisions among a succession of heirs. He urged that they should seek statutory recognition for this principle, with due safeguards against fraud. He also suggested that the Government should be moved to re-establish the arbitration Courts, which existed in the early part of the nineteenth century, for the settlement of family disputes, and to induce the ordinary Courts of justice to discourage the besetting evil of family litigation. Further he urged the formation of co-operative associations for mutual help, whose first duty should be to save Mahomedan families, so far as possible, from disruption and when necessary to "buy in" Mahomedan estates.

As to the large class of people who had little or nothing to conserve and who were dependent upon their own exertions, Mr. Ameer Ali remarked that the legal profession was over-crowded, and State service affected but a narrow field of occupation. Why should they not look out for other avenues to prosperity? Their forefathers never condemned trade, commerce, or any form of industry. A far more prominent place should be given than at present in their educational institutions to technical instruction. The awakening in the Hindu community of the demands of material progress—as evidenced by the industrial training sought in England Japan, and other countries—was as admirable as the Hindu awakening to political conceptions was extraordinary. He could not help viewing with regret the apathy generally displayed in these directions by Musulman youths. Want of means was often urged as the chief reason for lack of enterprise in this direction. He thought some of their rich men might well found industrial

scholarships for promoting Muslim youths, and that something in the same direction might be done on a business, as distinct from a charitable, basis.

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SPEECH AT THE LONDON MUSLIM LEAGUE INAUGURAL LUNCHEON[1]

[Ameer Ali Papers]

We are on the eve of great constitutional changes in the administration of India, which will undoubtedly alter its character, by giving the educated classes a larger voice in the internal government of the country. The Mohammedans consider the moment of great importance, because they feel that if they do not keep their claims well forward before the Government and the people in England and India, they may permanently and seriously prejudice their interests. They have welcomed the principles of the reforms, in the conviction that their legitimate rights will be adequately and substantially safeguarded. They have not put forward any undue claims or made any demand which can be regarded as encroaching on the just rights of any other community. They ask for their legitimate share in the political privileges about to be extended to the peoples of India—a share "commensurate," to use the language of the Government of India, "with their numbers and their

1. The original of this speech bears no date or title. Mr. Warris Ameer Ali has written this inscription on the top of the first page : ' Father's speech at the inaugural luncheon of the Moslem League 1909". The first date is crossed out, the second is allowed to stand. As the London Muslim League was established in 1908, it is possible that this inaugural luncheon took place in the same year. It could also have taken place in the following year. Mr. Warris Ameer Ali wrote this probably at the death of his father ; now he cannot recall why he changed the year or on what basis he put in the first date. Since writing this I have found the correct date, 23 January 1910, given by Ameer Ali himself in his "Memoirs" —*Editor*.

historical and political importance".

The Viceroy assured them that their political rights and interests will be safeguarded in any administrative changes in which he was concerned. The Mussulmans took their standard [*sic* ? stand] on that assurance. Their claim, based on historical and political importance, has been assailed from many not altogether uninterested quarters. With reference to these attacks, may I venture to make one answer? Barely 200 years ago, the East India Company acquired its rights to hold three of the richest provinces in India, under a grant from a Mohammedan Sovereign, and when British power extended towards the North and the West, the Mohammedan Sovereign still was the fountain-head of all legitimate right. The East India Company acknowledged his titular rights by placing his name and insignia on its coins as late as 1832 Many of the Mahratta and other Hindu Chiefs were proud to bear titles granted by Mussulman Sovereigns, and I am very much mistaken if they do not bear them even now. It is idle to say the Mohammedans of India possess no historical importance. They are connected by ties of religion, traditions and race with the whole of Western Asia and Northern Africa, right away to the Atlantic—countries where the prestige of England stands high now, and where England is recognised as the champion of justice and fair play. The Mohammedans of India expect to gain most by the present concessions. I may say again, without presumption, it is idle to say that they are of no political importance. In the social economy of the country even in those provinces where they are numerically inferior, their upper classes occupy an acknowledged position of weight and influence beyond their actual numbers.

They all feel that the happiness and development of India depend upon the co-operation of all her children—co-operation not only among themselves but also with the servants of the Crown, which has assured to the varied races and peoples of that great continent a peace and prosperity it never enjoyed at any other period of its history. At the same time, they cannot shut their eyes to the divergencies which have divided and still divide the rank and file of the two peoples—divergencies which ramify in all directions, which enter into the very minutiae of life. The two great communities of India are sometimes likened to the Roman

Catholics and Protestants in England and Ireland. I am afraid that analogy is absolutely false. Hindus and Mohammedans are not the followers of two sects or communions, but of two wholly different systems. Roman Catholics and Protestants follow one Faith and one Gospel. They differ in dogmas and ritual, but their habits of life and modes of thought, their laws, their customs and conventions are the same—there is nothing to debar them from eating at the same boards, or drinking from the same cup. They can intermarry, they can change from one community to the other. All this is different in the case of the Hindus and Mohammedans. Two absolutely antithetical systems have existed side by side for ten centuries with, on the whole, great toleration to each other without amalgamation. And why? Hinduism is not merely a religion, but a complex social system of immense antiquity whose institutions have, through the observance of ages, acquired a sacredness which nothing at present foreseeable can break or alter. It is a vast conservative Federation, hedged round by stringent rules of caste. No outsider can ever enter its pale. To think it has any democratic tendency or ideal is a mistake. Its admirable organisation, its very exclusiveness has enabled it to preserve through ages its ancient usages from contamination by foreign influences. Mohammedanism, on the other hand, is democratic, tending towards socialism. It opens its doors to all comers......[2]

It is only people who are ignorant of the situation, who do not understand the situation, that talk of common citizenship. Any attempt to drive the smaller into the bigger camp will only lead to discord and strife. A Mohammedan Sovereign tried to fuse the two people by introducing a new electic system. He failed. Do you think it possible to attain that end by driving them in common to the hustings?

It is only by remembering that the two elements deserve equal consideration, that both of them are important factors in the administration of the country, by endeavouring to understand the idiosyncracies of the two nations, by not allowing the interests of the one to be subordinated to the interests or ambitions of the

2 Nothing has been omitted here. Six periods appear in the original without any apparent reason.—*Editor.*

other, that you will make the projected Reforms successful. It is in this conviction, and not in any spirit of antagonism or racial prejudice, nor any feeling of jealousy or desire to take anything from the others, that the Mussulmans have pressed their case.

It is essential that the majority should know that the minority has sufficient questions in a spirit of compromise and toleration [*sic*]. So long as they feel that they can over-ride the claims of the others, there will be no peace, no accord, and no satisfactory dealing with public questions. The amount of juggling on the subject of Mohammedan representation seems to me amazing. First of all there are vast masses of people in India, who either disclaim all title to being Hindoos, or who are included under the word "Hindoo" for the sake of convenience. It is contended that they should be included in the Hindoo figures and the question of representation should be dealt with on the basis of those figures. Well, the injustice of the proposal does not seem to strike biased minds, but it shows how impossible it is to apply to India a doctrine which is workable with any approach to equity only in countries inhabited by a homogeneous population.

Allow me to say that, in placing before the Secretary of State the views of the Mussulman people on this most important question, the League and no *arriere-pensee*, no "tactics" in mind, "dubious" or otherwise. On the contrary, our object was to give whatever assistance we could in the solution of a great problem An eastern sage has said that it is treason to keep the Truth from the King. We would have been false to our loyalty to our Sovereign [had we not presented] clearly and emphatically the feelings and opinions of the Mussulman subjects of His Majesty to the Minister of the Crown.

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THE CONSTITUTIONAL EXPERIMENT IN INDIA

[*The Nineteenth Century and After*, March 1910, pp. 394-406]

On the 25th of January a new chapter may be said to have opened in the history of British rule in India. But for a crime of peculiar daring and sinister significance, perpetrated on the very eve of the opening of the new Councils, the speech of the Viceroy welcoming the national representatives and describing his own part in the introduction of the recent reforms would have attracted far greater attention than it has actually done. It was in many respects a notable speech, showing undoubted courage and sympathy—courage in breaking away from some old traditions, and sympathy in realising what appeared to him new forces at work in the country. He does not seem to have waited long after assuming the reins of office to formulate his views on the future policy of his Government on the many questions which had begun to agitate the public mind of India under the influence of Western education, for the note he read to his Council was written barely eighteen months after his arrival in the country. How far his estimate of the extent to which the reforms—for undoubtedly the need for reforms was clear—should go, would have been notified had he had time to look deeper under the surface of Indian political life and thought, it is difficult to say. But the reasonable sections of the population may be congratulated that further experience did not damp generous impulses. And one cannot help admiring the general hopefulness with which the ultimate issue is still regarded.

In his speeeh, Lord Minto reviewed rapidly and briefly the development stage by stage of British legislation in India and the political aspirations that had come into being within the last few years:

> 'When I took up the reins of government as viceroy [he observed], in the late autumn of 1905, all Asia was marvelling at the victories of Japan over a European Power—their effects were far-reaching, new possibilities seemed to spring into existence—there were indications of popular demands in China, in Persia, in Egypt, and in Turkey, there was an awakening of the Eastern world, and though to outward appearances India was quiet--in the sense that there was at that moment no visible acute political agitation--she had not escaped the general infection.'

The effect of the Russo-Japanese contest on the Indian people is open to question; for a closer study of the inner history of India would probably offer a more correct perspective.

Whatever the cause, however, of the 'discontent,' no one can deny that the time had arrived for a fresh advance in the direction to which British rule has been tending for the last half-century or more. And the proposals for the reforms were, as it appears now, put forward on the Viceroy's own initiative. He pointedly observed that they were entirely based on views he himself had formed of the position in India, and were not due to any suggestion from England, and he added impressively, 'whether for good or for bad was entirely responsible for it'.

The note itself is an instructive and interesting document. After referring to the growth of education and the claims of the Indians to a larger share in the governing of the country, it goes on to say:

> 'The political atmosphere is full of change. Questions are before us which we cannot afford to ignore, and which we must attempt to answer, and to me it would appear all-important that the initiative should emanate from us, that the Government of India should not be put in the position of appearing to have its hands forced by agitation in this country or by pressure from home, that we should be the first to recognise the surrounding conditions and place before his Majesty's Government the opinions which personal experience and close touch with the everyday life of India entitle us to hold.'

Particular stress is laid on the view maintained by the Government of India—an opinion evidently shared by the Secretary of State—that representative government in the Western sense is totally inapplicable to the Indian Empire and uncongenial to the traditions of an Eastern population. Considering the conditions that have come into existence in other Eastern countries, the last observation might perhaps have been more happily expressed. One remark, however, deserves notice as supplying a key to any further development of the present policy. It was emphatically stated that the safety and welfare of the country depended on the supremacy of the British administration. and *that* supremacy could not be delegated to any kind of representative assembly.

The preliminary step to the consideration of the proposed reforms was a reference of four suggestions, judging from his speech evidently emanating from the Viceroy himself, to a Committee consisting of several distinguished officials. Those suggestions were: (1) a Council of Princes or their representatives on the Imperial Legislative Council, which had at one time found favour with Lord Lytton ; (2) an Indian member on the Viceroy's Executive Council: (3) increased Imperial and Legislative Councils, and (4) prolongation of the Budget Debate 'with an improved rule'.

All these suggestions, which appear to have been accepted in principle by the Committee and save the first. sanctioned by the Secretary of State, have now taken practical shape in a more extended form than originally limned [*sic*].

After his impressive declaration there can be no hesitation in conceding to Lord Minto the whole credit for the authorship of the great experiment, the effect of which on the general conditions of the country remains yet to be seen. Considering the part he has played in obtaining for the peoples of India the newly granted privileges, it is difficult to realise that his life should have been in jeopardy ; though the disappointment with which the reforms have been received by various sections has surprised few people. It is merely a revulsion from the immoderate anticipations of the last few years based on erroneous calculations. Even Lord Morley's warning that in the constitutional changes on the anvil then, there was no idea to set up Parliamentary institutions on the Western model, failed to moderate the mistaken

hope of virtual transfer of the administration to the representatives of the people, chosen chiefly from the English-educated classes, with a very large extension of the franchise. The hope, it must be admitted, was not altogether unreasonable, in view of the fact that the classes who entertained it formed already the preponderating element in the official hierarchy, and to vest with the *de jure* authority would only mean, according to their views, the carrying of the policy hitherto pursued to its logical conclusion. They regard it, not without reason, as the first step towards the final solution of British rule.

Neither the Government of India nor the Secretary of State were [sic], however, inclined to take the same view of the question; they still considered themselves as the custodians and trustees of the interests of the varied races and creeds inhabiting the Indian Empire. Thus, putting aside theoretical considerations urged from different sides, they wisely determined to abandon the idea of absolute uniformity on a democratic basis and to hold the balance with a fairly even hand.

Although the principles underlying the reforms are by no means new, or for the first time enunciated by their authors, the constitutional changes themselves are so far-reaching as to alter fundamentally in many respects the chief characteristics of British rule. We in India often lose sight of the fact that generally speaking both the great English parties treat Indian questions as outside the range of what are usually called partypolitics; and although exceptions have recently appeared, on the whole it may be said the rule is faithfully observed. Both parties profess to have at heart the development of India on progressive lines and the training of her peoples in the work of self-government, so that in the distant future, when the growth of a true spirit of compromise and toleration among ill classes and communities may make it possible to entrust them with the management of their own affairs, she may justly claim a release from her present (no irksome) tutelage. One party may be more inclined to hurry the pace, the other may feel it wiser to proceed more cautiously; whatever the difference in the method, both seem to have the same end in view. It is, therefore, incorrect to suppose that the present reforms proceed upon any novel basis. Their importance lies in the fact that they

give a more extended application to principles which had repeatedly been affirmed by statesmen of all shades of opinion for many years past.

When we consider that every caste and creed has to watch over its interests and its work for progress by special and separate agencies, the fact that India is not a homogeneous country forces itself on the mind. The Rajpoots have their own separate conferences; so have the Vaishyas, the Kaesthas, the Sikhs, the Jainas, the Nama-Sudras in Bengal, the non-caste Dravidians in the South. Even the Shiah Mussulmans have deemed it necessary to devise a separate conference for the promotion and protection of their special interests. It is true the system of separate organisation for classes and communities differing in ritual or political aims is common in England. But here such divisions do not ordinarily take the acute shape they do in India. It is hardly fair, therefore, to ascribe the existing divergencies to deliberate machiavellism on the part of the Government. A closer study would probably show that the fault of British Indian bureaucracy lies the other way—in a desire to fuse all the elements in one common body and deal with them as such, regardless of all the differences which enter into the very composition of Indian society. It is natural to wish for a homogeneous nationality to rule over, as the path of administration is then made easier. But this very wish—it is frequently overlooked—leads to the disintegration of those classes who, from the absence of castes and caste-conventions, lack the powers of consolidation, and therefore depend for their solidarity on special organisations. The magnitude of the task undertaken by the Indian Government in attempting to widen the basis of administration can be realised when we bear in mind the immense diversity, not only in creeds and customs, but also in economic conditions.

The maintenance of absolute equity as the foundation of British rule was its first duty. But besides holding the balance evenly between varied, and even conflicting interests, it had to keep in view educational conditions and political weight. The mere fact that certain sections were more advanced in what is called English education would, under the circumstances of the country, have been a poor reason for throwing the weight on their side or so

extending the franchise as to include, without additional grounds, inferior educational tests. The limitation of the franchise within reasonable bounds was, therefore, a necessity. Whether the limit is not in some instances too narrow is a subject for future consideration. In spite of the difficulties under which they laboured, it must be admitted in all fairness, the Government of India have turned out a piece of work with which they have every reason to be satisfied. The regulations are not ideally perfect; some of the provisions indeed fall short of the object aimed at, others inspire misgiving. But taken broadly they represent a distinct and remarkable development in the administration of the country. The opportunities they afford for the expression of public opinion on the measures of Government are themselves a gain of immense value, for the thoughtful, sober and honest views of the representatives of the people, even when they do not exercise a controlling influence on executive or administrative actions, can hardly fail to have their legitimate weight on the policy of Government or the conduct of its officers. Properly worked, with the genuine intention on the side of the people that they should serve the purpose for which they are designed, the present reforms are certain to become the means of incalculable benefit to the country. The first, and by no means the smallest, result would be to inspire all classes, especially those who have benefited to any extent from Western knowledge, with a sense of responsibility and some conception of the duties of citizenship. Without these two conditions to start with, it would hardly be possible to hope for much good. If there is any real wish to make the reforms a true success, the cavilling spirit will have to be abandoned, and a more sober view taken of the realities of British rule, with a more measured estimate of Indian political and economic progress. The necessity for approximating such an estimate to the actual conditions of the country does not seem to be confined to India; its consideration is equally necessary in England.

It is futile, however, to suppose that the new system would either allay the 'unrest' or conciliate feelings that are irreconcilable. Nor do its authors seem to delude themselves with that hope. They rely for the success of their endeavours on the general good sense and loyalty of the people. In this probably they are not

mistaken, for the forces interested in the peaceful development of the country, and in the maintenance of law and order essential to that end, are very much stronger than any other. The ruling chiefs have, without exception, pronounced themselves emphatically in favour of the principles on which British rule is founded. The great magnates, the leisured classes, the men of culture—in fact, all who have a stake in their country's progress—regard with approval the constitutional changes, and view with apprehension the prospect of violent attempts to upset or paralyse the Government. The bulk of the population, interested in their own avocations, quiescently indifferent to changes in the administrative systems so long as they are left in peace to enjoy the fruits of their industry, are content with a rule which ensures them equal justice, and protection against oppression and violence. In these elements lies the safety of the present order, on them depends the continued assurance of the country's well-being. They know that the country, if not better governed, is as well governed, as any other civilised land ; they recognise that, barring minor hardships and inequalities, it is free from oppression ; that the administration of justice is free and equal ; that the Courts of Justice are independent of all outside influence; that the legitimate aspirations of the people are fairly and even sympathetically considered; that from year to year, decade to decade, there is regular political and economic progress ; and they are content to abide in peace and to spare their country the evils of disturbances, the end of which it would not be difficult to foresee.

We frequently hear even Englishmen speak of British rule in India as a 'despotism,' especially in connection with endeavours to perform the ordinary functions of government and to maintain law and order. It might well be asked, Is it more despotic than the rule of the Indian Princes, or does it regard with less consideration the feelings and prejudices of its subjects? Whatever may have been the condition before the 'sixties, within the last forty years the Government of India and the local governments have scrupulously tried to observe the forms of constitutionalism in not attempting to go beyond the letter of the law or recognised rules. The anxiety to adhere strictly to rules, the nervous deference to public opinion, and even sometimes to what is mistaken for public

opinion, differentiate the British Indian Government from other systems, usually known as despotic. When the government of a country depends on the ukase of a ruler who is guided by no definite rule in the determination of public or private questions, I take it there is little dispute as to the system being despotic. In India, it must be said with regret, there is, if anything, too much law, and often too little elasticity in its interpretation. Even in those parts where a patriarchal simplicity in the application of rules and principles is more conformable to the conditions of the people, the administrator is fettered in his work in a way difficult to realise. No official act is valid without the guarantee of some legislative enactment carefully framed and as carefully interpreted. A system of this kind can hardly be called a despotism in the usually accepted sense. It may be the despotism of law, but hardly of caprice. Somebody called India a paradise of mediocrities. That observation was probably the outcome of splenetic jealousy, but it cannot be denied that it is the land where law and lawyers flourish to a degree that does not obtain even in England, where the legal profession holds such a predominant position. In Upper India the name popularly applied to British rule as the *Vakil-ka-raj*[1] is an index to the estimation in which the people hold the system.

But when we consider by whom the laws are framed which the lawyer has to construe and to which the bureaucrat has to conform, we can form an idea of the extraordinary constitutional shape British rule has taken in India. Formerly it might have been said that legislation was in the hands of a few Englishmen more or less conversant with the country. The legislation of that period, although based sometimes on *a priori* considerations, and occasionally even of doubtful expediency, was actuated by an honest desire for the better government of India, and taken as a whole fulfilled its purpose. For the last forty years at least Indians have been associated on the Legislatures, and it would be as untrue to say that they have proved altogether inefficient as that they were not representative men.

The system now introduced marks a fresh advance of a remark-

1. The lawyers' government.

able character. As the Government of India, with a feeling of satisfaction natural under the circumstances, observe, the constitutional changes that have been effected are 'of no small magnitude'. The maximum collective strength of the Councils has been increased from 126 to 370; the number of elected members is now 135 in place of thirty-nine; an elected member is entitled under the new regulations to take his seat 'as of right' without any official confirmation as was needed under the previous system. Apart from the actual enlargement of the Councils, their constitution and functions represent a departure of a fundamental character. Under the regulations of 1892, the official element was everywhere in a majority; the present rules provide for a non-official majority in every Provincial Council; only in the Viceroy's Council, for reasons that will be explained later, an official majority is maintained. 'A member can now demand that the formal answer to a question shall be supplemented by further information.' Discussion will no longer be confined to legislative business and a discursive and ineffectual debate, to use the language of the Government of India, on the Budget, but will be allowed in respect of all matters of general public interest. How far these new and extensive privileges will be used in moderation to promote the real work of administration in the best interests of the country, remains yet to be seen. The wide powers vested in the President to check prolixity and irrelevancy furnish a guarantee that the debates will be conducted with due regard to constitutionalism. For in the absence of a controlling authority ready to repress exuberance of speech and to divert discussion into the right channels, quick of discernment and alert in answer, the Councils might easily become what some Municipal Corporations in India are known to be—fields for dialectical display.

The new regulations further make provision for the members to take a real and active part 'in shaping the financial proposals for the year,' not only by criticism and discussion, but also by 'initiating advice and suggestions in the form of resolutions'. In the face of these concessions it would be churlish to deny the claim put forward by the Government of India that 'they constitute a generous fulfilment of the gracious intention foreshadowed in the king-Emperor's message to grant to the leaders of the Indian

peoples a greater share in legislation and government'.

Barring the fact that the franchise has not been lowered enough to satisfy anticipations, the regulations contain substantial guarantees for a genuine participation of the representatives of the people in the work of administration. That seems to be the honest intention of the authors of the scheme; the accomplishment of that wish rests in other hands.

To form an approximate idea of the agencies set on foot with that object, it may be necessary to examine a few details relating to the constitution of the different Councils, the nature of the electorates, and the discretionary powers vested in the heads of Government to direct discussions into right channels.

The normal maximum number of the additional members of the Governor-General's Council[2] is fixed at sixty, of whom twenty-five are to be elected and thirty-five nominated; whilst out of the thirty-five, twenty-eight are to be officials. With the object of avoiding the undesirable contingency of a Governor-General nominating so many non-officials that the majority of all the members of the Council shall be non-official, a statutory limitation is placed on his powers. On the other hand, the non-official element is to be in a permanent majority in the Provincial Councils. The reason of the difference between the Governor-General's Council and the Provincial Councils is to be found primarily in the fact that legislative measures adopted in the Provincial Councils are subject to 'the assent' of the Governor-General in Council,[3] which furnishes a guarantee that hasty and ill-considered enactments would not easily find a place on the Statute Book, and fulfils the purposes of the right of veto possessed by the Senates of even advanced democracies like France and the United States, whereas there is no such safeguard in the case of legislation adopted in the Council of India, except the remote contingency of refusal by the Secretary of State to give his final sanction to any particular measure—a power rarely put into practice, and less likely than ever to be exercised under present circumstances.

2. The normal strength of the Imperial Council is sixty-eigth, inclusive of the Viceroy and *ex-officio* members (seven). Under the superseded system it was twenty-four.

3. I.e. of the Governor-General and his *Executive* Council.

The conceivable possibility of beneficent measures introduced into the Provincial Councils by Government being defeated by a combination of parties—a matter of procedure familiar in Western countries—would probably be met by the power vested in the supreme legislature to withdraw into its own form legislative proposals of importance. This was done with great public advantage in the case of the Bengal Tenancy Bill, which was afterwards enacted as Act VIII of 1885.

The strength of the Provincial Councils differs greatly according to the population, extent, and relative importance of the various provinces. For example, in Western Bengal the number is fifty-one, in Eastern Bengal and Assam forty-two, in the Bombay Presidency forty-eight, in the United Provinces forty-nine, in Madras forty-eight, whereas in the Punjab it is only twenty-seven, and in Burmah eighteen. The object throughout was evidently not to make the Councils too unwieldly either for useful practical work, or for direction by men who, with all their brilliant administrative qualities, are generally untrained in the handling of large assemblies.

Regarding the ineligibility of candidates for election, the rules are identical in all the Councils. But there is one feature about them which should not be allowed to pass unnoticed. Among those declared ineligible are persons dismissed from Government service or who have been sentenced to imprisonment for graver offences, or who have been ordered to find security for good behaviour, or 'whose reputation and antecedents are such that his election would, in the opinion of the Governor-General in Council, be contrary to the public interests'. A very wise provision, tempered, one would imagine, in exceptional cases by the authority of the Secretary of State. But when this authority itself, even sometimes against its better judgment, has to bow to the opinions of the supporters of his Majesty's Government in Parliament, the checks on a capricious exercise of the power may be considered sufficiently strong to deter any ordinary Governor-General from taking unnecessary or uncalled-for action.

With regard to the power vested in the Governor-General in Council to declare a person ineligible from his reputation or antecedents, the Government of India say, not without reason, 'if the dignity and representative character of the Legislative Councils

are to be maintained, there must be some means of excluding unworthy candidates, though,' they add, apologetically, 'recourse to it would be of rare occurrence, and the disqualification would not necessarily be permanent'. To have entrusted to the Councils themselves the power of excluding undesirable candidates would have imposed on members not versed in constitutional usages and forms a somewhat onerous and altogether invidious duty. What the Act of 1892 provided, by subjecting to the nomination of the head of Government the right of an elected member to take his seat in Council, the present Regulations seek to attain in a more direct and perhaps less objectionable way.

The desire for the speedy realisation of the constitutional *regime* is to a large extent responsible for a certain want of uniformity in the electorates and in the qualification of electors and candidates, as also for the absence of preciseness in the preparation and publication of the electoral rolls. In certain provinces voting by delegates has been introduced, which, according to all reports, already stands discredited. In the Bombay Presidency advocates of the High Court have been given the franchise, whilst in Upper India for some reason they are excluded. Again, in the United Provinces the qualifications for both candidates and electors are exceptionally, one might almost say unnecesarily, high. These and other defects of similar character will probably receive early attention, for it is no doubt the intention of Government to make the scheme as fairly workable as possible.

The provisions relating to resolutions and questions, and the examination of the annual financial proposals of Government, are by far the most interesting features of the Regulations. With the exception of certain matters specially excluded—a liberal scope is allowed, subject to certain conditions, to the discussion of questions of 'general public interest'. Were it not for these conditions, the rules might have reasonably caused apprehension as opening the door to interminable discussions, thus paralysing at the outset the usefulness of the Councils.

Resolutions moved by any member have to be in the form of a specific recommendation addressed to the government concerned; have to be clearly and precisely expressed, and 'raise a definite issue'; must not contain arguments, inferences, ironical expressions

or defamatory statements, or refer to the conduct or character of persons in their official or public capacity; and if they have reference to the financial proposals of the Government, they must not challenge the accuracy of the figures in the financial statement, and must be directly relevant to some entry in it.

The framers of these Rules had evidently in mind the lessons taught by more than one popular chamber, and have therefore endeavoured to the best of their ability to preclude irrelevant, discursive or 'scandalous' discussions.

Similarly the right of interpellation is subjected to a number of restrictions carefully devised, which, without hampering legitimate questions, would prevent their being used for purposes not conducive to public interests.

A 'supplementary question' may be asked 'for the purpose of elucidating any matter of fact regarding which a request for information has been made' in the original question, but the member in charge may decline to answer it without notice, and the President may disallow it summarily 'without giving any reason therefor'. The limitation of supplementary questions to the elucidation of 'matters of fact' is evidently meant to exclude attempts to elicit opinions from members of Government often on hypothetical data.

With the object of avoiding unnecessary discussions over the financial proposals of Government, an elaborate procedure is provided, which is more or less identical in all the Councils. There is one distinguishing feature, however, in their treatment in the Provincial Councils which is deserving of attention. The Provincial financial statement, before presentation to the Council concerned, has first to be examined by a Committee consisting of twelve members, of whom six will be nominated by the head of the Government, and six elected by the non-official members of the Council. The Committee is thus fairly equally balanced, and the latitude at this stage for discussion, criticism, and even revision is very great. Experience alone can show whether this provision helps in the despatch of business, or has a contrary result.

In the Governor-General's Council a different procedure will be in force. On the day the Financial Statement is introduced there is no discussion; it is only after the Statement has been fairly

digested that the real consideration of the proposals of Government begins. At this stage members are entitled to move specific resolutions; when these are exhausted the second stage begins. In this stage each head, or group of heads, specified in the Statement and open to discussion, shall be considered separately, and members shall be 'at liberty to move resolutions relating to any question covered by such head or group of heads'.

It will be seen, therefore, that it is not only at the first stage that a great latitude is given for discussion and the moving of resolutions; equal facility of a more definite character is given at the second stage.

The third stage consists in the presentation of the Budget. At the discussion which follows, no resolution can be moved in regard to it, nor is it submitted to the vote of the Council, though members are at liberty to offer any observations they think fit.

A generally comprehensive idea of the tendency of the new Regulations may be formed from the above rather cursory summary. The object unquestionably is to give the educated classes, and the classes with a stake in the country, a substantial part in its government and the management of its affairs. But that part is in the main advisory and not directory or controlling. The right of moving resolutions directed to specific points, and cast in the form of recommendations, allows to the representatives of the people ample facilities for helping the Administration. Advice offered in this shape, which has to undergo in public the severe test of discussion, imposes on the members responsibilities that cannot be evaded—responsibilities to themselves, their people and the Crown under which they prosper. The obligation that the resolutions should be addressed to Government as recommendations would largely preclude the putting forward of crude, inflammatory, or ill-conceived suggestions. The right of interpellation similarly permits the opportunity of drawing attention to popular grievances or to arbitrary acts of executive authority, which otherwise might become the means in unscrupulous hands of inflaming the passions of the people. Again, although no check is possible on unrestrained zeal or unreasoning partisanship, the fact that such questions must be put in proper form, and subject to certain conditions, provides a fairly substantial guarantee that the right would not, generally

speaking, be misused. Again, the participation of the members in the consideration of the financial proposals of Government furnishes them with the opportunity of giving, within limits, most valuable assistance to Government in dealing with questions of taxation and expenditure.

These and other features in the constitutional experiment that has recently been inaugurated mark it as one of the most momentous events in the history of India. To an outsider, honestly examining the facts, it seems that the Government have with wisdom, fairness, and no little generosity accomplished the task they undertook. It now remains for those who claim to be the leaders of public opinion in India, or who by their wealth, possessions or intelligence exercise an influence, to make the best use of the machinery that has been provided for them. As observed before, it is not ideally perfect, nor is it designed for a state of society which has not as yet come into being in India, or, for the matter of that, in many countries of Europe, but in its main conceptions and general principles, it is eminently suited for the condition that exist there, and, with a slight readjustment and modification of details, without interference with the principles, it might serve a really beneficent purpose in the promotion of national welfare

28

ITALY AND TRIPOLI

[Letter to *The Times*, 28 September 1911]

As one deeply interested in the growth and maintenance of amity and friendly feeling between Christianity and Islam, and in seeing the two great creeds working harmoniously, and if possible hand in hand, in the cause of progress in their respective spheres, I venture to trespass on the hospitality of your columns to call attention to the unthinkable consequences of the projected Italian invasion of the Turkish possession of Tripoli. To England the matter is one of serious moment; a hundred millions of Moslems acknowledge her sway and they all take the keenest interest in everything that concerns their fellow-religionists abroad. The fury and hatred to which such a wanton and unwarrantable act of aggression is sure to give rise will react in every part of the Moslem world; Egypt and the whole of Northern Africa will be immediately affected by it, and the work of conciliation and the progress of good will be thrown back by centuries.

Whatever excuse may be urged in palliation of the appropriation of Morocco by France, there is not the slightest justification for the attempt by Italy to provoke a war of creeds and races by the spoliation of Turkey. Her "grievances" to which you refer in today's issue of *The Times* are too flimsy to justify the action she proposes to take.

I appeal to every lover of peace and good-will on earth to protest with all his power, before it is too late, against this flagrant

breach of all canons of international morality on the part of a nominally Christian country.

AMEER ALI

Reform Club, Pall Mall
London, S.W.
September 27 [1911]

29

GREAT BRITAIN AND THE WAR

[Letter to *The Times*. 11 October 1911]

It cannot be to the advantage of the British Empire or to the cause of peace to draw a veil over what is transpiring in the East as a consequence of the war that Italy is waging against Turkey. In this conviction I ask your permission to draw attention to two facts of peculiar significance.

The war is causing immense ferment throughout the Musulman world, and the resentment it has aroused has so far found expression in admirably restrained language. The news of the mass meetings held in British India, South Africa, and elsewhere to protest against the Italian action has not penetrated the principal organs of public opinion in this country; nevertheless the fact remains that the ferment and resentment are universal and deep.

The other fact is one of more sinister import—the Italians appear bent on giving a religious turn to this singular war.

A little while ago it was reported that the Pope had sent a blessed rosary to be hung on the Italian Admiral's flagship as the harbinger of victory over the Turks; and now the Apostolic Delegate speaks in his message to his Holiness of the raising of the Cross of Christendon in Tripoli; whilst only a few days ago an Italian resident in London, lecturing to a fairly large audience, is reported to have urged the expulsion of the Turks from Europe and "their dispersal over the globe like the Jews". Similar hopes and wishes have been expressed in other quarters.

Now I venture to ask all those to whom the interests of the British Empire are sacred beyond temporary opportunities or the

demands of expediency, what is the prospect that these two facts open up? England has unquestionably the greatest stake in the maintenance of peace in the Eastern world. She has in her charge the welfare and progress of 400,000,000 of people of whom fully one-fourth are Musulmans. As a British subject who has worked for many years past in strengthening the bonds of sympathy between the East and West, I feel that it is of the utmost importance to England, for the sake of her great trusteeship, to do all in her power to bring the one-sided struggle to an early termination on an equitable basis. No one suggests that she should go to war single-handed in defence of the law of nations. But I am not singular in believing that the voice which has often spoken successfully against wrongdoing and injustice can still make itself heard without resort to force.

I am, Sir, yours faithfully,

AMEER ALI

Reform Club
Pall Mall, S.W., October 9 [1911]

30

ITALY AND TURKEY

[Letter to *The Times*, 1 November 1911]

May I beg you to extend to me once more the courtesy of your columns to ask the nation how long we are to view unmoved and unconcerned the scenes of horror that are being enacted in a part of North Africa which only a few weeks ago enjoyed the blessings of peace? The indiscriminate slaughter, the news of which is telegraphed this morning, the massacre of captives, the killing of women who will not uncover their faces at the bidding of rude soldiers; the "execution" of non-combatants dragged into the streets, without even the pretence of an inquiry as to their complicity with the firing on the invaders, will send a shock, unless I am very much mistaken, through the civilised world. Were even a fraction of these acts committed by the Turks, there would have been a howl of indignation throughout the length and breadth of Great Britain. Surely the heart of England cannot be dead to the call of humanity at such deeds by a "Christian" nation. An avenging Nemesis dogs the steps of wrongdoing and injustice; the invaders are paving their way into the desert with their bones, for their ferocious methods must in the result recoil on their own heads.

The Indian vernacular newspapers received in the last mail are full of war-news and of meetings of protests: the terrible reports of this morning will add to the fury and excitement. We remember how Moslem India was stirred at the time of the Russo-Turkish War; and we know the feeling that this war—forced on an unoffending people—with its attendant barbarities has aroused

among the Musulman subjects of the British Empire. The masses, as in other lands, can hardly be expected to differentiate between the wrongdoer and the innocent; I pray that the hatred against the one may not extend to the other.

Will not the Christian men and women of England, who cherish the noble ideals of their Faith, raise their voice against this reversion to the barbarism of bygone days?

I am, Sir, yours faithfully,

AMEER ALI

Reform Club
Pall Mall, S.W., October 31 [1911]

31

THE WAR IN TRIPOLI

[Letter to *The Times*, 1 December 1911]

Allow me to express my horror at the mutilation of Italian soldiers by the Tripolitan Arabs, reported in *The Times* of this morning by your Correspondent in Tripoli; and I am sure my horror will be shared by every Musulman throughout the world.

At the same time I desire to protest against his use of the word "Moslem" in connection with the atrocities which he says he saw at El Henni. No Musulman called the Italian "blood-lust" or "military exigencies" as "Christian" atrocities.

In Islam the mutilation of prisoners is emphatically prohibited. I shall only quote here the instructions of the first Khalif of Islam to his soldiers, going to war against the Byzantines, to show how utterly abhorrent these savage practices are to the Musulman conscience:

> "See [he said] that thou avoidest treachery. Depart not in any wise from the right. Thou shalt mutilate none, neither shalt thou kill child or aged man, nor any woman. Injure not the date-palm, neither burn it with fire, and cut not down any tree wherein is food for man or beast. Slay not the flocks or herds of camels, saving for needful sustenance."

I ventured to predict in the very first letter that you were courteous enough to publish in your columns the ferocious character this war was certain to assume, and as it proceeds I fear the passions that are being aroused will become more and more vindictive.

Will not the British nation even now raise its united voice against the continuance of a war to subjugate a people who have shown themselves so repugnant to submit to an alien rule?

I am yours faithfully,

AMEER ALI

Reform Club
Pall Mall, S.W., November 30 [1911]

32

ADDITIONAL CHAPTER ON
"MOSLEM FEELING"

[*The Turco-Italian War and Its Problems*—
Constable, London, 1912, pp. 102-8]

I do not propose to deal with the international aspect of the Italian raid into Tripoli, but shall confine myself to offering a few general observations as to its effect on India, and especially on the Mussulman mind. The excitement and indignation that has been aroused among the Moslem people by Italy's action can only be compared to the feeling created, in 1877, by the Russian invasion. Few observers can have forgotten the extraordinary outburst of sympathy among the Mussulmans of India with the wrongs of Turkey and the afflictions to which their co-religionists were subjected in consequence of that war. Then, as now, a war was forced on them whilst endeavouring to establish a stable constitutional Government. I am in a position to speak of the enthusiasm that prevailed among all classes to help the Ottoman nation and to relieve the universal suffering and distress among the stricken people of Turkey. Even women in the humber walks of life sent their earrings, bracelets and anklets to be sold and the proceeds remitted to the Turkish Compassionate Fund; and one Province alone was able to forward three lakhs of rupees, or nearly £20,000, whilst many Mussulman soldiers offered their services to the Ottoman Government.

The feeling aroused in India in 1877 was a revelation to most observers whose prejudices and antipathies did not blind them to the realities of national life, and from that day forth few

competent Europeans have felt inclined to underrate the solidarity that exists among the Moslem races of the world. Since then, the continuous pressure and persistent aggression of the European nations, under one pretext or another, on the liberty and independence of Mussulman States have had the effect of tightening the bonds that unite the followers of Islam, and what would have remained at best a theoretical and sentimental tie, is growing, if it has not already become, an important defensive factor —the only defence Islam can offer—against the destruction of the remaining autonomous Moslem States advocated by the fanatics of other creeds. The bogey of pan-Islamism maliciously held up to the imagination of European peoples as a militant force bent on a struggle of strength with Christendom, was a mischieveous invention for the purpose of justifying European aggression. A careful study of the modern Islamic movement will convince sober-minded observers that the idea of pan-Islamism entertained in Europe is absolutely without foundation. In India the Mussulmans are anxious to remain loyal to British rule, and to profit by the peace it has introduced in the country to achieve their material and moral development. But their religious and traditional sympathies extend far beyond the land they inhabit; by race and religion the bulk of them are allied to peoples outside India. Their religious and historical ideals are thus bound up with the independent existence of those peoples. It is absolutely in the nature of things that every throb in their hearts should create a responsive throb in the hearts of the Mussulmans of India. The Mohammedan subjects of the King who have given their whole-hearted loyalty to the Throne of England have a right to expect that their feelings and sentiments relating to their most cherished traditions should receive consideration in the general policy of the Empire, especially when those feelings and interests coincide with the demands of justice, humanity and international obligations.

It may be said, without exaggeration, that the Italian attempt to seize Tripoli, in defiance of Treaties and Conventions, on the flimsiest of pretexts, at a time when, to all appearance, up to the last moment Italy was on terms of friendship with Turkey—sent an electric shock throughout the whole of Mussulman India.

Without wishing that their own Government should "trample" on Italy, many of them thought that having regard to the unprecedented character of the aggression, the manner in which it was carried out, and the calamitous possibilities it involved, which are every day becoming more and more evident as the conflict proceeds, the Imperial Government might raise its voice in disapproval of the method, even if it countenanced the ambitions that inspired the invasion.

Whether that expectation was well-founded or otherwise, it can scarcely be denied that England has the greatest stake in the maintenance of peace in the Eastern world; and it was natural that her Mussulman subjects should rely on her trusteeship of their most cherished interests and feelings to prevent injustice against unoffending Moslem nations.

Every report arriving from India since the commencement of the war shows how widespread and deep-seated the resentment is, and how earnestly they look to the British Government to remedy the wrong. And these feelings are by no means confined to the Mussulmans. At the mass meeting held at Madras on November 6 last the principal resolutions were moved and seconded by prominent Hindoos. The great meeting in Calcutta, at which it is reported over a hundred and fifty thousand people were present, was held on the grounds of the Federation Hall, lent for the purpose to the Mussulmans by Hindoo leaders who were in full sympathy with its object.

At the Madras meeting to which I have referred, the first resolution, which was moved by Dr. T.M. Nair and seconded by Mr. Rangachariar, two Hindoo notables, was in these terms:

"That this meeting beseeches the British Government, which is concerned in the welfare of a large Empire in the East, to use its best endeavours to allay the grave feeling of insecurity which the unjust war and the manner in which it is prosecuted by Italy against Turkey along with other recent events, have produced in the minds of non-Christian and Oriental races generally."

One portion of Mr. Nair's speech deserves reproduction. He said:

"Italians should remember that when they had been struggling for national independence they had got help from Great Britian. Were not Tripolitans entitled to such outside help? If the affair of Tripoli had stood alone it would not have created so much unrest. But the feeling of swallowing up weaker nations had been very much to the fore. And if they allowed a policy like that to go on, they would come back to barbarism, and if there was one country in the world that could allay Mohammedan feeling it was Great Britain, because it had the largest Mohammedan population." [He was there amongst them to show that Hindoos must sympathise with the Mohammedans.]

The second resolution, which protested against the cruel treatment meted out to the Arab inhabitants by the Italian troops, was moved by a Mussulman gentleman, Mr. Yakub Hassan.

The Hon. T.V. Sheshagiri Iyer, another leading Hindoo, who seconded the resolution, spoke of the sympathy of his people:

"There were no differences in Madras between Hindoos and Mohammedans, and on behalf of the Hindoo population of Madras he assured them that they fully sympathised with them. They were told that women and children had been massacred in a manner unknown to civilised warfare. The report received had caused them deep sorrow and disappointment. In regard to Bulgaria and Armenia, England came forward to protest against the action of the Turks regarding Christian settlers of the place. Was it not the duty of England now to come forward and see that the Turks in Tripoli were entitled to as much respect?" [He said that England should intervene for the following reasons, viz.: that England had a larger Mahommedan popuation, whose feelings had been embittered, than any other country; that England was a party to the Hague Convention according to which non-combatants should not be massacred; and England was said to be a protector of oppressed races.]

At the Calcutta mass meeting the resolutions were emphatic and generally to the same effect. But the most significant fact in connection with this meeting was the oath taken by the Mussulman merchants, who had considerable dealings with Italy, not to touch Italian goods in future; and the general burning then and there of all Italian goods as pulluted objects.

On October 7, a mass meeting was held at the Shahi Mosque at Lahore, which was attended, says the report, "by thousands

of Mahommedans, representing every class and sect". The first resolution expressed the "strong indignation" of the Mahommedans of Lahore "at Italy's high-handed and unjustifiable invasion of Tripoli". Similar meetings have been held at other great centres, such as Bombay, Lucknow, Bareilly, Rangoon, Karachi, Amritsar, and Dacca, all breathing the same spirit of indignation at the Italian action, and all appealing to England to intervene in the interests of humanity and justice.

In this state of feeling in India, the Russian advance into Persia has naturally increased the excitement and alarm. In 1907, England and Russia entered into a Convention with the object of removing all causes of friction between their respective Empires. Although the British and Russian Governments marked out two distinct "spheres of influence" in that ill-fated country, its independence and integrity were solemnly guaranteed by both. And now, forsooth, on the allegation that an American citizen in the service of Persia, in the conscientious discharge of his duties, has shown himself either over-zealous or less sycophantic than was expected, the country is invaded by Russia, and her very existence as an independent State is in jeopardy.

The disastrous effect of the Russian advance on the Indian mind can hardly be over-rated. It will give colour to the growing impression that the European Powers are bent on destroying Mussulman States; it will add to the prevailing unrest which every loyalist deplores, and will certainly cause a weakening in that feeling of trust in the British sense of justice which has given England such a strong hold on the loyalty of the people of India.

33

BRITISH POLICY IN PERSIA

[Letter to *The Times*, 26 September 1912]

Although I venture to differ from you on the question of British policy in and towards Persia, I am sure you will not refuse me the courtesy of allowing me to state my views in your columns.

You argue that the time has arrived for the revision of the Anglo-Russian Convention and for the virtual absorption of Persia by the two Great Powers who barely five years ago solemnly undertook to maintain her independence and integrity—though I must admit you do not postulate this latter thesis in express terms. And the plea on which you base your argument is that Persia has proved herself unable, if not unfit, to maintain order within her dominions. One always notices that when anything unusual or extraordinary is about to be undertaken in private or international life a justifying plea is considered expedient or necessary. In the matter of Persia's inability to govern herself may I be permitted to ask the British public—has a fair and honest chance been allowed to that poor harried country to recover from the effects of the grinding tyranny of her late ruler, or to her distracted people to prove their capacity for Government? I venture to affirm without hesitation that every effort on their part has been paralysed by outside action, the tribes do not know who governs them, and the people themselves feel that they are being crushed by a fate against which they cannot contend. The pressure for squeezing out the national life of Persia and preventing her regeneration has been relentless, unceasing and persistent. It is cruel, under these circumstances, to expect any

country or any people to show any capacity for government. Had Persia been allowed, even for five years, a fair chance to govern herself and had then failed, we would have been willing to accept the correctness, if not the justice, of your argument.

What effect the partition of Persia, which you seem to suggest, would have on the minds of the vast millions of Mussulmans who acknowledge allegiance to the British Crown, I will not stop to consider. You have already observed that England cannot mould her policy to accord with their sentiments. But I submit they are entitled to expect that the Empire to which they belong should extend to people and States of their faith the same measure of justice and protection that she is ready to accord to weaker Christian States.

Surely it cannot be denied that they are justified in hoping so much from her as "the bulwark of Islam".

As a citizen of the British Empire who glories in England's greatness. I look at the question anxiously from the point of view of India's interests, and from that point of view I cannot help regarding your suggestion with the gravest misgivings.

I am, Sir, yours faithfully,

Sils-Maria, Engadine
September 23 [1912]

AMEER ALI

34

MOSLEMS AND THE WAR

[Letter to *The Times*, 24 October, 1912]

The condemnation by *The Times* of the appeal of the Balkan kings to religious fanaticism, weighty as it might have been at any other time, comes, I am afraid, too late to do any good. Besides, it is not likely that in the din of battle and the passion for aggrandizement any heed would be paid to it. But the well-merited rebuke *The Times* has administered to partisans, on whom lies a special duty for absolute reserve and consistent impartiality, might perhaps produce some effect.

It is with the greatest sorrow I see the incalculable mischief the poison that has, with studied malevolence, been spread in England is doing both here and in India [*sic*]. In this country it is exciting religious and racial hatred; in India it has given rise to bitter and I fear abiding resentment and indignation—even greater than that caused by the proclamations of the Balkan kings. It is hardly realized here that fully one-fourth of the vast population of the British Empire amounting to not less than one hundred millions profess the same faith as the Turks; that their most cherished feelings are involved in the maintenance of the prestige and power of the Sultan, whom 90 per cent regard as their Caliph; and that every misfortune and injustice to Turkey is felt as a disaster to themselves. They do not stop to consider that there are many men and women in England who look with horror on this war and on the use which is made of the symbol of Christianity to justify aggression and slaughter. They only see a vast conspiracy, in which even the ministers of religion have joined, for driving

England to take part in this 20th century crusade. What the effect of all this will be I leave to others who know the East to impress on the minds of their fellow-countrymen whose prejudices and sympathies have been inflamed and excited by one of the most unconscionable Press campaigns known.

To discount the feelings of the Mussulmans of India as a factor in the consideration of Imperial policy, currency has been given to an atrocious libel; it is stated that the Mutiny was largely the work of the Mussulmans; and it is openly suggested that although England had helped Turkey in 1856, the Mutiny showed that service to Turkey would have no effect on Mussulman loyalty one way or the other. It is sufficient for me to repeat that the statement on which the argument is based is an atrocious libel.

The mischief that is being done by misguided partisanship is not confined to any one section of the Indian peoples.

When the other communities of India read utterances like the following their love for British rule will not be enhanced:

> "The white man cannot live with the Oriental except as the superior race. And the white man in South-eastern Europe has tried too long to do it."

(The Oriental in this case belongs to the same race as the Magyar and is probably as white as the writer.)

It is painful to read the ecclesiastical effusion in *The Times* of this morning. From the respected names attached to the document one would have hoped for a fair examination of the facts on which the accusations against the Turkish Government are based. There is toleration enough and to spare for the land of pogroms and persecutions, but none for a country whose liberality to other faiths is testified to by every man who has lived in Turkey.

I was grieved to read in *The Times* of yesterday the letter of Mme. Novikoff, which will only add to the exacerbation on both sides. Your distinguished correspondent helped to embitter English feelings against Turkey 35 years ago, and she seems determined to play the same role again. But I would venture to remind Englishmen that the interests of her country, at least in Asia, are not identical with those of England, and in many cases they are

diametrically opposed. And I greatly fear that it will not be long before this fact will be forced on the minds of Englishmen of all shades of opinion. When it comes to the question of national skins, I can only retort with Napoleon's well-known saying about her countrymen. It is hardly possible for Mme. Novikoff to do justice to a nation whom her country has tried to strangle for over a century. But surely Englishmen with their sportsmen's instincts of fairplay will ask themselves the question, Has Turkey been allowed a chance ? Whenever she has attempted to introduce law and order, down has come Russia on her with fire and sword. I would remind them of 1829, 1849, 1856, and 1877. I do not refer to the Greek attack in 1896, the Italian invasion of 1911, or to the present "holy war". I would remind them also of the revolutionary bands let loose from time to time among the villages of Macedonia, and the bombs that have spread terror and incited the frenzy of the people.

Yours faithfully,

AMEER ALI

2 Cadogan Place, S.W.
October 23 [1912]

35

AN APPEAL FOR HELP FROM THE BRITISH RED CRESCENT SOCIETY[1]

[*The Times*, 5 November 1912]

The appalling number of Turkish sick and wounded that have come back from the front or are lying on the battlefield are taxing to the utmost the Turkish hospital arrangements, with the result that many are left untended; and even if the war ends within a reasonable limit of time, they will need all possible help to alleviate their sufferings. His Majesty's Minister at Sofia also informs the British Red Crescent Society through the Foreign Office that there are many Turkish sick and wounded lying at Sophia and Philippopolis.

Only those who know Turkey can form any sort of conception of the enormous amount of suffering the present war is involving on thousands of simple and innocent families. It is not the soldiers only who suffer or even the inhabitants of the districts where war is raging, but the homes all over the empire whence all the men and lads have been taken to fight their country's battles. It seems hopeless to make any adequate attempts to deal with the vast amount of suffering, suffering that the approach of winter, when most of the country is under snow, renders all the heavier, but it is incumbent on us in the name of humanity to do all that lies in our power to mitigate to however small a degree.

The British Red Crescent Society has already sent to Turkey one

1. Sayyid Ameer Ali was the founder and president of the British Red Crescent Society.—*Editor*.

hospital under the direction of Colonel Surtees, C.B., M.V.O., D.S.O., consisting of two surgeons, three dressers, six male nurses, and four orderlies; and propose to send another as soon as funds permit, to attend to the sick and wounded and to relieve to some extent the general distress and destitution. The Committee of the Society earnestly appeals to all who have pity for human suffering for further funds to carry out the work of mercy in which it is engaged.

Donations may be sent to the bankers of the Society: Messrs. Coutts and Co., 440 Strand, W.C., or to the honorary treasurer, Mr. A.S. Anik, 2 Fenchurch Avenue, E.C.

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SPEECH AT THE LONDON MUSLIM LEAGUE MEETING : 1912[1]

[Ameer Ali Papers]

We had hoped that the President of the Central League would take the Chair on this occasion, and this was one of the principal reasons why the Committee delayed the Annual meeting. But unfortunately he had to leave England to take the waters on the Continent. Another reason for holding the meeting so late in the year is that the British Red Crescent's [Society's] work of mercy has taxed all the energies of the members of the Committee.

The Report of the last year's work, with the financial statement, has been in the hands of the members, and in accordance with the practice of the previous years I shall ask Sir William Bull, who has very kindly undertaken to do so, to move the adoption of the Report. I should like, however, to be permitted to say a few words by way of introduction.

The work of this League is of a two-fold character. To assist, primarily, so far as lies in its power, in the political training of the Mussulmans of India—to enable them to realise their rights and their duties as the citizens of a great Empire; to suggest to

1. The typescript of this speech is in the Ameer Ali Papers. It has no title; the words "Speech at the Meeting" are written on the top in ink by Sayyid Ameer Ali himself. Neither place nor date is given. However, internal evidence shows that it was delivered at the London Muslim League annual meeting at some date in 1912. It was delivered on 7 August 1912 at the annual meeting of the London All-India Muslim League at the Westminster Palace Hotel. *The Times* of 8 August carried a short summary of the speech.—*Editor*.

them directions for the exercise and employment of their legitimate and constitutional activities, to work in harmony and concord with other communities, if permitted to do so in the promotion of national and communal welfare under the aegis of the British Crown. On the other hand, to serve as the exponent of their legitimate feelings, aspirations and claims to the Government.

No right-minded man can take exception either to the League's programme or its work. Its double task is by no means an easy one. To carry out the first it has to rely on the cordial co-operation and support of its own people; to give effect to the second, on the good-will and sympathy of Englishmen really interested in building the Throne of England on the solid loyalty of the many millions of divers races and creeds who acknowledge allegiance to the British Crown—a loyalty which springs from mutual understanding and appreciation. The Moslem Leagues have been characterised by a distinguished critic in an august assembly as exotic institutions to whose utterances much importance should not be attached. Most organizations of this kind, which attempt to reflect the opinion of large bodies of people, some constitutionally, others unconstitutionally, whether in England, Ireland, or elsewhere, are more or less exotic in their character. It may be said, however, that the Moslem organisations are less exotic than many others. They came into existence without outside impulse, and work without outside inspiration. They are the outcome of their own necessities, to articulate their own views.

It is not for the Moslem Associations to determine whether any or what consideration should be paid to their[2] representations. But the lessons of history would have no meaning were no value to be attached to honest and constitutional efforts to enlighten Government regarding the sentiments, feelings and demands of a great community. Not even the most gifted administrator or the most talented Government can be supposed to have intuitive knowledge of what is passing in the minds of large masses of people; and it should not always be necessary to beat the drum

2. The word first used here was "these"; it has been crossed out in Sayyid Ameer Ali's hand and the word "their" inserted —*Editor*.

or use other methods of a less innocent and more reverbrating kind, to draw attention to public opinion.

I will not stand much longer between you and Sir William Bull. There is one remark, however, which I wish to make in connection with the Committee's suggestion for the substitution at the Feast of Sacrifice of goat and sheep, with the help of rich co-religionists and even of rich Hindoos, for kine by the poorer Mussulmans in localities where they are in a great minority. The Committee are not oblivious of the objection that may be raised in some quarters that the offering by a person of an object which has been given him by another is not supposed to have the same religious efficacy as if it had been acquired by him with his own earnings. But speaking subject to correction, I do not think this objection applies to presents made before the Feast. Anyhow the problem is one of great complexity as well as of difficulty. The Committee have only ventured to make a suggestion which needs very careful consideration.[3]

I take this opportunity of expressing my personal gratification to the promise that has been held out by Government of supporting more largely and liberally primary education without resort to compulsion. It is to be hoped that in carrying out this promise an effort will be made to revive and encourage indigenous institutions.

The Commission that has been appointed on the Indian civil service contains many eminent names, which is a guarantee that the questions will be considered in the best[4] interests of the Empire uninfluenced by theoretical considerations.[5] No good, however, will be gained by wholesale condemnation of the[6] civil servants in India. Men offending against the canons of gentlemanliness will be found in every class, in every rank of society,

3. In the first draft there was a semi-colon after "consideration" and the sentence ran on "otherwise the remedy might be worse than the subject with which it purports to deal". This was later crossed out in pencil.—*Editor.*

4. "best" was added later in ink.—*Editor.*

5. The original read as "by bias or theoretical consideration". "By bias" was later crossed out in pencil.—*Editor.*

6. "wholesale condemnation of the" was inserted later; the first draft read "traducing the whole body of".—*Editor.*

in every profession, and among every nation. But speaking with a life-long knowledge I have no hesitation in saying that in the main, the members of the Indian Civil Service are a conscientious body and public servants loyally devoted to their duty, and to the country where their lot is cast, and anxious to a degree to be sympathetic and friendly with the people. If the Commission can evolve a system which would attach less importance to aptitude in passing examinations and more to training, decision, character and breeding it would be doing real good. Some such system as prevails with regard to appointments in the Foreign Office would be of immense advantage to India by excluding persons not fitted by training or temperament to rule among alien races.

For myself, I believe an English training for Indians[7]—a training among Englishmen and Englishwomen of the right sort—essential to the making of a good public servant. I will not stop to give my reasons. And I think it would be a real calamity to India if that desideratum were to be got rid of—at least in the present stage of her development.

7. "for Indians" was added later in ink.—*Editor*.

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THE MOHAMMEDANS OF INDIA AND THEIR PLACE IN THE EMPIRE[1]

[Ameer Ali Papers]

It can hardly be disputed that the real history of India commences with the entry of the Mussulmans. The Macedonian invasion and the friendly intercourse which some of the Hindu monarchs maintained with the Seleucidae were episodes. Beyond the legacy of a word now commonly applied to foreigners, Mussulmans as well as Christians, and of perhaps a few interesting relics, they made no permanent impression on the great continent of India. The attempts to glean a connected narrative of facts from disjointed inscriptions on the rocks and pillars, and coins and copper-plates, and in disappointment. The Mussalmans lifted the veil that had till then concealed the romantic land of Hind from the outside world and brought her into the comity of nations. From very nearly the end of the eighth century to the final collapse of the Mogul Empire in the middle of the eighteenth century—for a period extending over a thousand years, the stream of immigration was continuous. They came from different countries and belonged to different stocks, and they each brought their culture and institutions to the home of their adoption. When it is remembered that from the middle of the eighth century of the Christian era up to the destruction of Bagdad by the Mongols, western Asia stood in the vanguard of what is usually understood by the word civilisa-

1. The original gives no indication of the nature of this document. Internal evidence suggests that it was a lecture given in 1912.—*Editor.*

tion in its truest sense, it will be conceded that India gained by joining hands, *albeit* against her will, with the vigorous races of the countries beyond her borders. The common notion that the Mussulman conquerors destroyed the indigenous civilisation and superimposed on its remains a rough system is found on examination to be untrue in fact. As a writer in one of the early numbers of the "Calcutta Review" remarks, they preserved the old institutions to a far greater extent than is commonly supposed; they were largely conservators rather than destroyers. They destroyed very little compared with other races, nations and creeds of the same or even a later age. When the history of Mussulman civilisation in India comes to be written in a dispassionate spirit and uncoloured by prejudice, it will be found that mediaeval Hindustan and modern India owe much more to the Mussulmans than it is the practice to acknowledge. Like history, architecture was at a discount in Northern India. The Dravidians of the South were great builders. But I trust I shall not be accused of ignorance in saying that the real architecture of India came into existence with the Mussulmans. Architecture and the fine arts were in the hands of the Persians. But the representatives of this versatile nation who settled in India did not devote themselves exclusively to these two pursuits. They shared with the Arab immigrants the commerce of the country; whilst by their superior training and literary culture, even under the Afghan kings, they held in great part the administrative posts in the Empire of Hindustan. The Afghans and Turks were mostly military men. The natives of the country, both those who adopted Islam and those who adhered to their own indigenous faith, soon came, however, to the front, and at a very early time received recognition and equitable treatment. Reactionary tendencies are not unknown even now in Europe or America, countries which claim to stand in the vanguard of what is usually termed civilisation—a word of which I have the utmost horror, for under pretence of carrying that doubtful commodity into regions that still remain attached to their own ways of thought, whose inhabitants still refuse to be forcibly exploited and driven out of their hearths and homes or to allow themselves to be debased by drink and other vices of civilisation, crimes have been committed and are being committed at which the English

people with their inborn sense of justice would have raised indignant protest not so very long ago. But now, alas, unless the exploitation turns into perpetration of horrors, England hardly listens to the cry of the oppressed.

But this [is] only by the way. Occasional outbursts of bigotry were not unknown, but if truth were told, to a far less degree than in Europe of the same age.

It is a matter for regret that European scholars and students do not study with the same degree of sympathy and interest the history of Islam as they do that of the Greeks or Romans. One would have thought that considering the close affinity which exists between Christianity and Islam, the proximity in time of Islamic civilisation to the progress of the Modern world, and the influence Islamic culture and Islamic institutions have exercised in the development of Europe, some more attention would be devoted to Saracenic annals in a broader and more enlightened spirit than is common now. I venture to say that just as England is working in India with the legacy left by the Mussulmans' rule, Europe's progress has been furthered by the achievements of the Moslems not merely in the domains of science but also in administrative conception. To give a short illustration—the subject will be found detailed in my "History of the Saracens".[2]

It would be waste of time to trace how the system these men evolved has found its way into the governments of modern Europe. The Pathan and Mogul sovereigns of India did not adopt the highly organised system of administration which the Abbassides had introduced into the more progressed conditions of Western Asia and which the Spanish Moors borrowed for their country. But Hassan Maandi, the Vizier of Mahmud of Ghazni, one of the greatest administrators the East has produced, introduced with modifications, their revenue and land system into his master's empire; and the principles laid down by him were afterwards adapted to Indian conditions first by the famous Sher Shah and afterwards by Akbar's Hindu Revenue Minister Rajah Todar Val [*sic* ? Mal], whose land settlement was a monument of industry and has always remained a model for succeeding governments.

2. Three-quarters of a page is left blank here in the original.—*Editor*

Draper in his "History of the Intellectual Development of Europe" says in one place, I am quoting from memory: "The heavens testify to the Saracens' work". The agricultural and revenue vocabularies of India bear testimony to the debt that country owes to her Mussulman conquerors. The cultivator is still the *ryot*, it will take long years of proscription to drive that word out of use; the advances to the peasantry are still and will always remain the *tuccavee*: the autumn and spring crops are still *rabi* and *kharif*: the village papers are still *Tasnabandir* and *Tasnawasilbakis*; the village administration registers of Northern India are still the *Wajib-ul-Arz*; the rates of rent are still the *sharh*. One of the most noteworthy facts connected with Mussulman influence in India is that even in remote parts of the country far away from the seat of government, Arabic and Persian expressions relating to rural economy have become incorporated with the language of the people.

Pathan Sovereigns ruled over Northern India until the advent of Baber the grandfather of Akbar. The record of his impressions of India is to me a work of enthralling interest for it is not merely a self-portraiture of a great king and warrior, but a description of the country and of the people whom he and his descendants were destined to rule over for two hundred years. But although he had come to live in India, he could not altogether give up the prejudice with which every inhabitant of a temperate climate regards tropical regions. His grumblings at the absence of the amenities to which he was accustomed in his mountain home remind me very much of the complaints one hears constantly from Englishmen proceeding for the first time to India. One passage from his memoirs is worth quoting.

Akbar came to the throne when he was a lad of fourteen. His grandfather and even his father had all the instincts and prejudices of fereigners. Once he took the reins into his own hands, he worked after one ideal—to be a national sovereign of an Indian nation, the different elements being bound together by common loyalty to the throne. This was the ideal he left to his successors, who failed to realise it. And this is the ideal he has left to those who have obtained their heritage by devolution. He failed to accomplish the task he had undertaken because he was far before his time. It is doubtful if even now under other conditions and under other

inspirations, India is ripe for the consummation that he desired and so conscientiously worked for. That consummation can only be reached when the different communities who inhabit the vast continent have thoroughly realised the value of toleration and goodwill, of compromise and co-operation, of mutual confidence and mutual respect.

Between the English and the Mussulmans there are special reasons for sympathy and friendship. Christianity and Islam spring from a common stock ; their ideals and standards are the same ; the early traditions of the two faiths have a common origin. They are not divided by the great gulf which separates the non-semitic from the semitic systems. Whatever difference of opinion there may exist between my hearers and myself on this point, there will be none, I believe, when I come to my next ground, which is essentially historical. The English obtained their *de jure* dominancy not by force of arms or by conquest. Lord Brougham's description in the *Mayor of Lyons* v. *The East India Company* of the extraordinary freak of fortune by which a body of traders rose to the position of rulers of an Empire, is both graphic and eloquent.

In the middle of the eighteenth century, the sceptre of Akbar had passed into hands hardly able to hold it : the invasion of the Persian Nadir Shah still further weakened the Mogul Empire, enfeebled by Aurungzeb's war of aggression against the Mussulman states of the South, who had kept the Mahrattas in check ; these people taking advantage of the weakness of Delhi were devastating the Continent from East to West down to the Deccan. At this period two European States were fighting with each other for the dominancy over not merely the Eastern Seas but over India. It was, to my mind, a merciful and wise dispensation of Providence which gave the game to the British. On the 12th of August 1765 the East India Company obtained from Shah Alam II the stewardship of the three richest and largest provinces of the Empire, the right of collecting on behalf of the Emperor the revenue of Bengal, Behar and Orissa--names which must have become familiar to everyone in England in connection with the momentous announcement made by His Majesty King George at the recent Durbar. By the royal firman of 1765, the office of Dewan which until then was vested in the Viceroy of Bengal was entrusted to the East India Company,

and with the Dewanny they obtained the virtual government of the three provinces. It was, in my judgement, as I have already said, a wise dispensation of Providence that led to the grant of the Dewanny to the British. The meaning of this will be clear to those who know something of French administration in Algeria, even at this day ; how the people are exploited by French and Jewish colonists; how they are gradually being driven out of their homes; how heavily and oppressively they are taxed whilst the foreign immigrants bear little or no share of the taxation ; how they are kept out of all share of administration. It is no doubt true that the English did not rise for many years to the responsibilities of the task entrusted to them. Many of my hearers know the history of India as well as I do, probably better. But one thing perhaps they forget that Meer Cassim Ali's quarrel with the East India Company was due entirely to the faults of their officers. He tried to protect his people from extortion at the hands of their servants—and ended his career in exile and death.

But since those days the progress has been continuous and although much remains to be done, it must be universally admitted that the fate of the country would not have been better in any other hands, certainly any other foreign hands.

To come back to the Mussulmans of India. The treaty of 1802, after Lord Lake had driven the Mahrattas from Delhi, put the seal on the *de jure* title to the sovereignty of India. It was then that the devolution of authority became finally complete. And when the direct government of the country with all its rights and responsibilities was assumed by the British Crown, the Mussulmans transferred their loyalty without reservation or a thought of the past, to the Throne of England, and that loyalty has been proved not merely on many a field of battle, but under more difficult and insidious circumstances in recent years.

What I have said may, perhaps, induce a conviction in a few minds that the Mussulmans of India are not unjustified in thinking they are entitled to some degree of consideration from the British Government if not more than any other community, certainly not less. Have they received it ? In the early part of the nineteenth century the heavy hand of the Inam Commission fell most heavily on them in Bengal, Behar and Orissa ; most of their

principal families were ruined and their lands passed to other people. (The Inam Commission was a Commission appointed for the investigation of title and if you ever take an interest in the subject—and in the subject of the Mussulmans who were consigned to the trusteeship of British rule, please read my article in the "Nineteenth Century" of 1883, called a "Cry from the Indian Mahomedans". It will, unless I am very much mistaken, wring your heart, to know how recklessly, thoughtlessly they were treated in the first half of the nineteenth century [)]. Since then new factors have sprung up; new conceptions govern administrative actions, and the Mussulmans are endeavouring to recover the ground they lost partly from their own fault and partly the narrowness of vision on the part of the administrators.

You are aware that the population of India amounting to over three hundred millions is composed of diverse nationalities, races and tribes descended from different stocks and greatly varying in their development. Out of this vast population, the "untouchable" classes and tribes are calculated roughly to number eighty millions. Their touch is pollution to the higher castes of Hindus, and [*sic*] who will not either sit, drink or eat with them, or allow them even to touch their food. Of the rest, nearly sixty-two millions are Mussulmans and the remainder caste-Hindus.

Most of us in this Hall know of the great reforms recently introduced in India which will always remain associated with the name of Lord Morley. Some, no doubt, think, that economic and educational reforms should have preceded political reforms, or at any rate should have preceded simultaneously on parallel lines. It would have been of some advantage to the country to teach to the zealous politicians of India the value of uncontaminated water and fairly clean habitations before investing them with the power of interpellation as to the misdeeds of the officers of Government anxious in their efforts to stamp out plague and malaria. Under these reforms the Mussulmans have obtained certain concessions; they have obtained the right to elect their own representatives on the various Councils; and they are seeking for the application of the same principle to the lower representative bodies,—municipal corporations, district and local boards. Attempts, however, are frequent to induce Government to withdraw the concessions already

made and to refuse those for which the Mussulmans are moving the authorities. Now, I am not a "Separatist" : I believe that the development of India on modern lines of progress depends on the cordial co-operation of the two great Indian communities, Hindu and Mussulman, in the work of national welfare. At the same time, I am firmly convinced that the development of each community must proceed on its own ideals and standards of thought and training: that any attempt at amalgamation at the present stage would mean the submergence of an ill-organised, badly equipped and badly trained minority under a majority vastly superior in numbers and immensely better organised. No one acquainted with the social, religious and moral conditions of the Mussulmans can view such a contingency without the gravest misgiving.

The Mussulmans' outlook is not confined to India. As in Christianity so in Islam, community of faith, of religious and historical traditions and of identity of institutions draw together into one brotherhood so to speak, Moslems all over the world. This fact will explain the outburst of sympathy which the tribulations of Persia and the wrongs of Turkey have evoked throughout the Mahomedan world. And I sincerely trust this bond of sympathy will never slacken. How deeply the Mussulmans of India have been moved by recent events is shown not merely by the meetings they have held all over the country and the resolutions of protest and sympathy they have adopted, but also by the help they have sent for the relief of suffering among the Turks and Arabs who are making such a gallant fight for freedom against alien subjugation.

England occupies an unique position in the world; with all her mistakes of policy she is recognised to possess a standard of justice which places her above the level of most of her compeers; that standard may often be departed from in practice, but the conscience of the nation does not usually slumber over it, and one section or another raises its voice in protest. It is this reliance on the ultimate sense of justice of the British nation which gives England such a hold on the sentiment of the Islamic nations. At this moment the name of England, chiefly through the efforts of her Indian Moslem subjects, stands high in the Moslem world, for it is they who have organised the Missions of Mercy which have gone out from this country as British organi-

sations for the relief of distress and suffering in Tripoli : it is they who are working to draw the East and West together and to bridge the gulf which still divides the two Faiths that are destined in their respective spheres to regenerate the human races.

England unquestionably is the greatest Mussulman Power of the World. Out of the four hundred millions of people who inhabit the British Empire, fully one-fourth are followers of Islam. Just consider what this means. Just consider also the identity of ideals which unites by a common bond of sympathy the various Islamic communities. And now think of the immense power for the good of the world, the undoubted, unquestioned and unquestionable loyalty of the Mussulmans of India to the British Throne places in the hands of England. She could, and she can still, secure to the Mussulman nations who are striving for reform and regeneration, that peace, that immunity from harrying which seems to have become a part of modern civilisation, and thus form for herself a bulwark based on the hearts not merely of her Mussulman subjects. In her Mussulman subjects she possesses both naval and military material of no mean value : Mussulman soldiers have proved their prowess on many a field of battle : Mussulman sailors mostly belonging to the same stock as the soldiers fought in the Company's ships not so very long ago, and they still man the mercantile navy of England. With the ever-increasing number of ships of war for the defence of the Empire, a time must come when immense difficulty would be experienced in manning the vessels. In the hardy seafaring Mussulman population of Western India and the Chittagong Coasts she has materials ready at hand which I hope it is only necessary to mention to attract attention. And if the services of the fighting Mussulman races of India and her borders are utilised as they should be, there would arise no need for introducing conscription in England. The people whose instincts have been suppressed, and whose aptitude has been allowed to run to seed, would supply a million of the staunchest fighters for England's dominancy in the world, for they believe that she is still, with all her mistakes, in sympathy with their most cherished traditions. It is only to be hoped that no false racial pride or unworthy color prejudice would be allowed to stand in the way of utilising the loyalty to the King of the Mussulmans of India.

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THE INDIAN CIVIL SERVICE

[Letter to the *Westminster Gazette*, 20 March 1915]

Will you extend to me your courtesy to correct a mistake in which you have inadvertently fallen in your article, "A Word about India," in the *Westminster Gazette* of the 17th inst.? You say there that "it will also be impossible to restrict natives of India who have proved their ability and experience by long service in their own country to positions in which they are subordinate to the rawest new arrival from the Covenanted Service" The statement regarding "the rawest new arrival" is likely to prejudice ill-informed public opinion, and needs, therefore, immediate and emphatic contradiction. It is not the fact that Indian officers of the Provincial Service (to which alone your remarks can apply) are placed in subordination to young civilians (English or Indian) immediately on their arrival from England. Only after sufficient training and experience, when placed in charge of a district, which rarely happens before he has been in the country from eight to ten years, has the Civilian Magistrate and Collector under him subordinate officers of varying capacity belonging to the Provincial Service.

The young civilian when he first arrives in India has to undergo a strict novitiate, and after he passes a number of examinations in multifarious laws and languages of the country is invested with full magisterial powers. He is then placed in charge of subdivisions, where his duties are more or less identical with those performed by officers of the Provincial Service.

The sweeping denunciations of the Covenanted Service which

have become for obvious reasons current in this country are not only unjust but impolitic. They take the heart out of the men who are, as a whole, giving their very best to India. Both Indian and English who receive their education and training in England, supposed to be the best in the world, are surely entitled to fairer treatment.

I may remark, by the way, that the Civil Service of India is year by year losing its attraction for the best product of the Universities of England. This is due to many reasons, chief among them being the harassing nature of the first few years in India, with pay but little more than that of a subaltern in the Indian Army some years younger, and the prospect of blocked promotion owing to numerous superior posts being reserved for men without English University training. When these disadvantages are combined with continual obloquy in the Press of two countries, it is naturally disheartening to men engaged in the conscientous and efficient discharge of their duties under very strenuous conditions.

Yours faithfully,

AMEER ALI

2 Cadogan Place. S.W.
March 18 [1915]

39

THE CALIPHATE
A HISTORICAL AND JURIDICAL SKETCH

[*Contemporary Review*, June 1915, pp. 681-94]

It is always impossible for one unacquainted with the history and development of any institution which governs the life and thoughts of peoples to form even an approximately correct conception of its influence on the national sentiment and character. And the importance of such knowledge is peculiarly great where the particular institution which we try to understand concerns the religious and spiritual interests of masses of mankind spread in every part of the globe. The force of these remarks will be appreciated by those who have taken the trouble to study, however cursorily, the recent discussion in the Press and elsewhere on the Islamic Caliphate. How essential a clear idea on the subject is will be apparent from the fact that the number of human beings whom it vitally affects can only be counted in millions. The followers of Islam are spread over Asia, Africa, Europe, and the Islands of the Indian Archipelago. They are to be found in large and increasing numbers, in Mauritius, Madagascar, in the West Indies, Demerara; British Guiana and other parts of the American Continent. In Central Africa, where the population is steeped in the lowest fetishism, Islam is spreading with such rapidity and is exercising such humanising and elevating effect on the undeveloped pagan mind as to cause much searching of heart and perturbation of spirit among the votaries of rival faiths.

The number of Moslems inhabiting the globe is variously estimated at 350 to 400 millions; but assuming the lowest estimate

of 300 millions to be nearer the mark, and without taking into account the constant and growing adhesions to the faith of Islam in different parts of the world, the necessity of understanding the true import of the high office of Caliph stands unchallenged. Within the British Empire alone nearly 100 millions, exactly one-fourth of the entire population of the Empire and twice and half as many as the inhabitants of the United Kingdom, owe allegiance to the British Crown. Russia proper, according to an estimate furnished by a Russian acquaintance, contains about twenty millions; whilst in Turkestan and the Steppes of Tartary, which lie within the ambit of the Czar's dominions, there are millions of Mussulmans. The number of Moslems inhabiting the French possessions in Africa and elsewhere, roughly speaking, number thirty to forty millions. These figures may not be strictly accurate, but they sufficiently show how important the Mussulman element is in these three Empires. I have purposely left out of account the thirty-five millions of Mussulmans in China and the Moslem populations of Turkey, Arabia, Persia, and Afghanistan, together with the borders. These latter supply some of the finest soldiers of the King's Indian Army, all of whom are strict followers of the Faith and adherents of the Caliphate.

As in Christendom, so in Islam. The Islamic world is divided into two great sects--viz. the Sunni and the Shiah, each of whom has several offshoots which, however, for the purposes of the present thesis do not need any particular mention. Of the vast population of Moslems that inhabit the globe, the Shiahs, inclusive of the sub-sects, do not, in all probability, exceed thirty millions. In India, certainly, they do not amount to more than half that number. In Persia, where the State religion is Shiahism, probably only three-fourths of the population actually belong to that communion. The rest of the vast congregation of Islam adhere strictly and faithfully to the rules and tenets of the Sunni Church. I use the word "Church" to convey the meaning which no other word can express—a consolidated body of doctrines expanded from age to age which have become part and parcel of the religious life of the nations who are governed by them.

Both Sunnis and Shiahs are agreed that the religious efficacy of the rites and duties perscribed by the Law (*the Shari'at*), in

fact the very existence of Islam, depends on the existence of the Vicegerent and representative of the Prophet, who, as such, is the Spiritual Head (Imam) of the Faith and the Faithful. The great difference between the two sects consists in the fact that whilst the Shiahs lay stress on the spiritual presence of the Imam at the prayers of the Faithful, the Sunnis insist on his actual physical existence to preside and officiate, where possible, at the devotion of the congregation, and to impart validity to the ministry, so to speak, of the "minor" *Imams*, his representatives or delegates among the people. The Shiah conception has apparently coloured the ideas of many Europeans on the subject of the Caliphate. It may, therefore, be both useful and interesting to explain shortly the Shiah doctrines relating to the religious and spiritual Headship of Islam.

THE SHIAHS

The term "Shiah" is applied nowadays exclusively to the followers of the twelve Apostles of the House of Mohammed. They are, therefore, called *Asna-'asharias* or Duodecemians to differentiate them from their congeners the *Ismailias*, who are to be found in large numbers in Zanzibar, in Bombay, and in Gilgit and Hunza. The origin of the Ismailias is interesting, though only indirectly connected with the subject under consideration. The daughter of the Prophet Fatima, "Our Lady of Light," as she is reverently and lovingly called by the Faithful, was married to the Caliph 'Ali. He left two sons, from the younger Hossein are descended the Shiah Imams. On the death of the sixth Apostle Jafar the True, some of his followers broke away from his rightful successor, and gave their adhesion to the son of a predeceased son of the Imam named Ismail. They formed a sect with esoteric (*batinia*) doctrines which have really no place in Islam. In the early part of the tenth century a descendant of Ismail, Obaidullah, surnamed Mahdi, rose to power in Northern Africa; and his successors formed a brilliant empire with their capital at Cairo. They assumed the title of Caliph or Vicegerent of the Prophet[1]; and endeavoured by means of a cleverly devised

1. They are named in history the Fatimide Caliphs.

propaganda to spread their doctrines in Asia and Africa. In pursuit of this object they established the famous lodge which, with its degrees of initiation, became the prototype of similar institutions in Christendom. But their right to the Caliphate or the validity of their pretensions was never recognised beyond their own followers. One of their *Dais* or propagandists founded the *Batinia* settlement on the inaccessible crags of Alamut in the north of Persia, which afterwards became famous in the annals of the world as the stronghold of the "Assassins".[2] The last Caliph of this dynasty died in 1171 in Egypt, when Saladin restored Sunni orthodoxy in that country which it has retained ever since. The Ismailias still follow their own religious heads; their doctrines and observances being for the most part derived from ancient Manichaeism have little in common with orthodox Shiahism, and in India are largely mixed with Hinduism. In the East these Ismailias are now called Khojas, who form a very prosperous community; they are adepts in commerce and trade, but, generally speaking, possess little or no acquaintance with the religious history or traditions of Islam.

THE ORTHODOX SHIAHS

According to the *Duodecemian* Shiahs, the spiritual heritage bequeathed by Mohammed devolved on 'Ali and his descendants by Fatima. They hold that the Imamate descends by divine appointment in the apostolical line. They do not regard the Pontificate of Abu Bakr, Omar and Osman as rightful; they consider that 'Ali, who was indicated by the Prophet as his successor, was the first rightful Caliph and Imam of the Faithful, and that after his assassination the Spiritual Headship descended in succession to his and Fatima's posterity in "the direct male line" until it came to Imam Hassan al-'Askari, eleventh in descent from 'Ali, who died in the year 874 A.C. or 260 of the Hegira in the reign of the Abbaside Caliph Mu'tamid. Upon his death the Imamate devolved upon his son Mohammed, surnamed al-Mahdi (the "Guide") the last Imam. The story of these Imams

2. A full account of the Ismailia doctrines and of the origin of the "Assassins" will be found in my *Spirit of Islam*.

of the House of Mohammed is intensely pathetic. The father of Hassan was deported from Medina to Samarra by the tyrant Mutawwakil, and detained there until his death. Similarly, Hassan was kept a prisoner by the jealousy of Mutawwakil's successors. His infant son, barely five years of age, pining for his father, entered in search of him a cavern not far from their dwelling. From this cavern the child never returned. The pathos of this calamity culminated in the hope, the expectation, which fills the hearts of all Shiahs, that the child may return to relieve a sorrowing and sinful world of its burden of sin and oppression. So late as the fourteenth century, when Ibn Khaldun was writing his great work, the Shiahs were wont to assemble at eventide at the entrance of the cavern and supplicate the missing child to return to them. After waiting for a considerable time, they departed to their homes, disappointed and sorrowful. This, says Ibn Khaldun, was a daily occurrence. "When they were told it was hardly possible he could be alive, they answered that, as the prophet Khizr was alive, why should not their Imam be alive, too?" Upon this, Ibn Khaldun remarks that the belief about Khizr being alive was an irrational superstition. This Imam is, therefore, called the *Muntazzar*, the Expected—the *Hujja* or the Proof (of the Truth), and the *Kaim*, the Living.

As I have said elsewhere, the philosophical student of religions will not fail to observe the strange similarity which the Shiah and the Sunni beliefs bear to older ideas. Among the Zoroastrians the persecution of the Seleucidae engendered the belief that a divinely-appointed Saviour, whose name was Sosiosch, would issue from Khorasan to redeem them from the hated bondage of the foreigner. The same causes gave birth to that burning anticipation of the advent of the Messiah which gives such life and colour to the religion of the Jews. The Jew believes that the Messiah is yet to come; the Sunni, like him, believes that the Saviour of Islam is still unborn. The Christian believes that the Messiah has come and gone, and will come again; the *Asna-'asharia*, like the Christian, awaits the reappearance of the *Mahdi*, the *Guide* who is to save the world from evil and oppression. The origin of these conceptions and the reasons of their diversity are traceable to like causes. The phenomena of the age in which the idea of the *Mahdi* took shape

in its two distinct forms were similar to those visible in the history of the older faiths. Every eventide goes up the prayer to heaven in Islam, as in Judaism and Christianity, for the advent of the divinely-appointed Guide, to redeem the world from sorrow and sin.

The Shiah believes that the Imam, though *ghaib* (absent), is always present in spirit at the devotions of his fold. The expounders of the law and the ministers of religion are his representatives on earth; and even the secular chiefs represent him in the temporal affairs of the world. Another point of difference between them and the Sunnis consists in the qualities required for the Imamate. According to them, the Imam must be sinless or immaculate (*ma'sum*) a quality which their Imams alone possess, and that he must be the most excellent (*afzal*) of mankind.

THE SUNNI DOCTRINES

The Sunni doctrines which govern the lives, thoughts, and conduct of over 270 millions of people are diametrically opposed to the Shiah conception. The Sunni religious law insists that the Imam must be actually present in person to impart religious efficacy to the devotions of the Faithful; and that, where it is not possible for him to lead the prayers, he should be represented by persons possessing the necessary qualifications directly or indirectly representing him.

These doctrines are enunciated in more or less detail in most works on jurisprudence and scholastic theology. The *Khilafat*, it is explained, is the Vicegerency of the Prophet; it is ordained by Divine Law for the perpetuation of Islam and the continued observance of its laws and rules. For the existence of Islam, therefore, there must always be a Caliph, an actual and direct representative of the Master. The Imamate is the spiritual leadership; but the two dignities are inseparable; the Vicegerent of the Prophet is the only person entitled to lead the prayers when he can himself be present. No one else can assume his function unless directly or indirectly "deputed" by him. Between the Imam and the *mamum*[3] or congregation, there is a spiritual tie which binds

3. This is the term in the *Fatawai-Alamgiri*. The individual follower is usually called the *Muktadi*.

the one to the other in the fealty to the Faith. There is no inconsistency between this dogma and the rule that there is no priesthood in Islam. Each man pleads for himself before his Lord, and each soul holds communion with God without the intermediation of any other human being. The Imam is the link between the individual worshipper and the evangel of Islam.

The above remarks serve to emphasise the statement in the Durr-ul-Mukhtar that Imamate is of two kinds, the *Imamat-al-Kubra* and the *Imamat-as-Sughra*; the supreme spiritual Headship and the minor derivative right to officiate at the devotions of the Faithful. The *Imamat-al-Kabir*, the Supreme Pontiff, is the Caliph of the Sunni world. He combines in his person the spiritual and temporal authority which devolves on him as the Vicegerent of the Master. Secular affairs are conducted by him in consultation with councillors as under the first Caliphs, or, as in later times, by delegates collectively or individually. Similarly with religious and spiritual matters. But in the matter of public prayers, unless physically prostrate, he is bound to conduct the congregational service in person, as is seen in the customary Friday ceremonial observed by the Ottoman sovereigns.

Among the Shiahs, even Friday prayers and prayers offered at the well-known festivals may validly be performed individually and in private. According to the Sunni doctrines congregational prayers, where mosques or other places of worship are accessible, are obligatory; abstention from attendance without valid reason is a sin, and the defaulter incurs even temporal penalties. In Nejd, under the rule of the Wahabis, who have been called the Covenanters of Islam, laggards were whipped into the Mosques. Prayers *bi'l jama'at* being obligatory (*farz 'ain*) naturally made the presence of the Imam absolutely obligatory.[4]

THE INSTALLATION OF CALIPH

I shall describe presently the rules of "induction" to the dignities

4. There is absolute consensus on these points among the different Schools. The Jurist Khalil Ibn Ishak, the author of the monumental work on Maliki Law, enunciates the rules in the same terms as the Hanafis and the Shafeis.

of Caliph and Imam. The word "election," which I have myself used in other works, does not fully convey the actual theory and practice connected with the installation. The Sunnis affirm that when stricken by his last illness the Prophet "deputed" Abu Bakr to lead the prayers in his absence. On his death, but before he was consigned to his grave, the Master's nomination was accepted by the "congregation," and Abu Bakr was installed on the Vicarial seat by the unanimous suffrage of the entire body of Moslems. And this has been the universal practice in all regular lines ever since.

Amongst the qualifications necessary for occupying the Pontifical seat, the first and most essential is that he must be a Moslem belonging to the Sunni Communion, capable of exercising supreme temporal authority, and independent of all outside control. The Sunnis do not require that the Imam should be *ma'sum*, or that he should be "the most excellent of mankind," nor do they insist on his descent from the Prophet. According to them he should be free from all personal defects, be a man of good character, possessed of the capacity to conduct the affairs of State, and to lead at prayers. The early doctors, on the authority of a saying of the Prophet, have included a condition which comes in at the end of the passage relating to the qualities necessary for the Imamate—viz., that the Caliph-Imam should be a Koreish by birth. The avowed object of inserting this condition, as is stated both in the Durr-ul-Mukhtar and the Radd-ul-Mukhtar, was to nullify the Shiah contention that the Imamate was restricted to the House of Mohammed, the descendants of 'Ali and Fatima, and to bring in the first three Caliphs, and the Ommeyyade and the Abbaside Caliphs into the cricle of legitimate Imams. The great jurist and historian, Ibn Khaldun[5] a contemporary of Tamerlane, who died in the year 1406 A.C. long before the House of Othman attained the Caliphate, has dealt with this condition at great length in his *Mukaddamat*. He does not dispute the genuineness of the saying on which it is based, but explains that it was a mere recommendation which was due to the circumstances of the times. At the time the Islamic Dispensation was given to the world the tribe of Koreish were the most advanced

5. For many years Malikite Chief Kazi of Cairo.

and most powerful in Arabia ; and in recommending or desiring that the temporal and spiritual guardianship of the Moslems should be confided to a member of his own tribe, the Prophet was thinking of the immediate future rather than laying down a hard and fast rule of succession. At that time a qualified and capable ruler of Islam could only be found among the Koreish ; hence the recommendation that the Caliph and Imam should be chosen from among them. This view eloquently expressed by one of the most learned of Sunni Jurisconsults is almost universally accepted by the modern doctors (the *Mutakherin*), that the law imposes no restriction in the choice of an Imam. The idea that according to the Sunni doctrines there is some sacramental virtue attached to Koreishite blood seems to be of purely foreign origin.

DEVOLUTION OF THE CALIPHATE

Before referring to the rule relating to the indivisibility of the *Khilafat*, it is necessary for the proper understanding of the subject to trace briefly the devolution of the Pontificate of Islam after Abu Bakr. Before his death he had nominated Omar his successor in the Vicegerency, and the appointment was accepted by the universality of the people, including the House of Mohammed. Omar died from the effects of a mortal wound inflicted on him by a Christian or Magian fanatic who considered himself aggrieved by the acts of this great Caliph. To avoid all imputation of favouritism Omar had, before his death, appointed an electoral committee consisting of six eminent members of the Moslem congregation to choose his successor. Their choice fell on Osman, a descendant of Ommeyya, who was installed as Caliph with the suffrage of the people. On Osman's unhappy death, 'Ali, the son-in-law of the Prophet, who, according to the Shiahs, was entitled by right to the Imamate in direct succession to the Prophet, was proclaimed Caliph and Imam. The husband of Fatima united in his person the hereditary right with that of election. But his endeavour to remedy the evils which had crept into the administration under his aged predecessor raised against him a host of enemies. Muawiyah, an Ommeyyade by descent, who held the governorship of Syria under Osman, raised the standard of revolt. 'Ali proceeded to crush the

rebellion, but, after an indecisive battle, was struck down by the hand of an assassin whilst offering his devotions in the public Mosque of Kufa in Irak. With 'Ali ended what is called by the early Sunni doctors of law and theologians, the *Khilafat-al-Kamila*, "the Perfect Caliphate," for in each case their title to the rulership of Islam was perfected by the universal suffrage of the Moslem nation.

On 'Ali's death Muawiyah obtained an assignment of the Caliphate from Hassan, the eldest son of 'Ali, who had been elected to the office by the unanimous voice of the people of Kufa and its dependencies; and received the suffrage of the people of Syria to his assumption of the high office. This happened in 661 A.C.

It should be noted here that the Ommeyades and Hashimides were two offshoots from one common stock, that of Koreish. Bitter rivalry existed between these families, which it was the great aim of the Prophet throughout his ministry to remove or reconcile. The Hashimides owe their designation to Hashim, the great grandfather of the Prophet. His son Abdul Muttalib had several sons; one of them, Abbas, was the progenitor of the Abbaside Caliphs. Abu Talib, another son, was the father of 'Ali the Caliph, whilst the youngst, Abdullah, was the Prophet's father.

Muawiyah was the first Caliph of the House of Ommeyya. On the death of Muawiyah's grandson, another member of the same family belonging to the Hakamite branch, named Merwan, assumed the Caliphate. Under his son Abdul Malik and grandson Walid the Sunni Caliphate attained its widest expansion; it extended from the Atlantic to the Indian Ocean and from the Tagus to the sands of the Sahara and the confines of Abyssinia. In 749 A.C. Abu'l Abbas, surnamed Saffah, a descendant of Abbas, the uncle of the Prophet, overthrew the Ommeyyade Dynasty, and was installed as Caliph, in place of Merwan II, the last Pontiff of that House, in the Cathedral Mosque of Kufa, where he received the *Bai'at* of the people. He then ascended the pulpit, recited the public sermon which the Imam or his representative delivers at the public prayers. This notable address, religiously preserved by his successors, is to be found in the pages of the Arab historian Ibn-ul-Athir. It is in effect a long vindication of the rights of the children of Abbas to the Caliphate. Abu'l Abbas was henceforth

the legitimate ruler of the Sunni world and the rightful spiritual Head of the Sunni Church. His first six successors were men of remarkable ability; those who followed were of varying capacity, but not a few possessed uncommon talent and learning. Mansur, the brother of Saffah, who succeeded him in the Caliphate, founded Bagdad, which became capital and seat of Government, and was usually called the *Dar-al-Khilafat* and the *Dar-us-Salam*, "The Abode of the Caliphate" and "The Abode of Peace". Here the House of Abbas exercised undisputed spiritual and temporal authority for centuries. Their great rivals of Cairo became extinct in Saladin's time; the brilliant Ommeyyade dynasty of Cordova disappeared in the first decade of the 11th century. The Almohades, the Almoravides, and the many Berber and Arab dynasties which, on the decline of the Almoravides, followed each other in succession in Morocco, had no valid title to the headship of the Sunni Church. The right of the Abbasides to the Sunni Imamate stood unchallenged from the confines of Tunis to the Ganges, from the Black Sea and the Jaxartes to the Indian Ocean.

For full five centuries Bagdad was the centre of all intellectual activity in Islam; and here the rules and regulations appertaining to the Caliphate as other matters, secular and religious, were systematised. And the conception that the Caliph-Imam was the divinely-appointed Vicegerent of the Prophet became, as it is to-day, part of the religious life of the people. It will thus be seen that according to the Sunni doctrines the Caliph is not merely a secular sovereign; he is the spiritual head of a Church and a commonwealth, the actual representative of divine Government.[6]

The honours that were paid to the Pontiffs even when their temporal power had shrunk to a small principality, of which the capital was Bagdad, and the halo that surrounded their personality, show how the doctrine of divine appointment had sunk into the minds of the people. It may be remarked here that the general rule of Islam is that the Imamate is indivisible—that there cannot be two Imams or two Caliphs co-existing at one and the same time. The Shiah and the Hanafi school, to which the bulk of the Sunni

6. The curious student is referred for further information to my *Spirit of Islam* and *The History of the Saracens.*

world belongs, are agreed on the point. The Maliki jurist, Khalil ibn Ishak, who wrote in the 15th century of the Christian era, lays down the same rule. One or two Jurists of the middle period, however, thought that when two Mussulman Empires were so separated by deserts. oceans, or hostile countries as to be inaccessible to each other, it is permissible to them to have separate Imams. The circumstances which gave rise to this conception were to be found in the condition of Spain. In 756 an Ommeyyade prince who had escaped the clutches of Abu'l Abbas Saffah founded an independent kingdom in Spain; but, out of the regard for the indivisible Caliphate, did not assume the title of Caliph. On the rise of the Ismailia Fatimides in Africa, who completed the separation of Spain from the East, his grandson an-Nasir was proclaimed Caliph. Hence the enunciation of the principle to which I have referred, and which became obsolete with the disappearance of an-Nasir's dynasty in the beginning of the 11th century.

THE APPOINTMENT OF THE CALIPH

I have already referred to the general rule by which the ruling Pontiff nominated or designated his successor, which was confirmed by the *Bai'at* of the people. When there was no nomination the chief ministers of religion, the principal dignitaries of State. and the prominent members of the Pontifical House had the power under the law to choose the fittest male member of the deceased Caliph's family to fill the vacant seat, and their choice was confirmed by the *Bai'at* of the people, and public prayers at the Holy Places and the public mosques. And this rule is still in force.

The *Bai'at* was, and still is, a sacred ceremony and regarded as a religious rite. It commenced by the princes of the Caliphate blood approaching the throne, and reading the formula of inauguration, after which they took the oath "with all its sanctions and restrictions". They were followed by the Ministers of State, the great dignitaries of the Empire, the remoter members of the Caliph's family, the minor viziers and the nobles, the bodyguard and the servants of the palace. They took the oath, after which they ranged themselves in a circle on each side of the throne. The public then entered the Hall of Audience, and the Chamberlain,

who stood in one corner of the hall, administered to each singly the oath. The *Bai'at* to the elected Caliph possessed a sacramental virtue, and imparted a sacredness to his personality, and this sacredness was enhanced and accentuated by prayers offered for the accepted Pontiff in the Holy Mosques of Medina and Mecca. It was due to this conception of the sacramental character of the Caliph's election that long after he had lost every vestige of temporal power, conquerors and sovereigns like Mahmud of Ghazni and Altamsh of Delhi solicited from him the consecration of their power. "The Caliph's confirmation legitimised their authority. vested in them the lawful government of their States, and made every popular rising against them illegal and impious. This ordination was effected by the grant of a formal diploma which was invariably accompanied by a pelisse of honour (*tashrif*), often by a turban studded with jewels, swords and banners." The Caliph could be deposed only by the consensus of the people (*Ijma'a-ul-ummat*) for consistent and flagrant infringements of the rules of religion and law. It was for this reason [that] the Abbasides were so anxious to prove that their predecessors, the Ommeyyades, were both irreligious and impious.

The Abbaside Caliphate lasted for five centuries from its first establishment until the destruction of Bagdad by the Mongols in 1238 of the Christian era. At that time Musta'sim b'Illah was the Caliph and he, together with his sons and the principal members of his family, perished in the general massacre; only those scions of the House of Abbas escaped the slaughter who were absent from the Capital, or succeeded in avoiding detection. "The invasion of the Tartars," says the author of the *Kamil-ul-Tawarikh*, "was one of the greatest calamities and the most terrible of visitations which fell on the world in general, and the Moslems in particular, since the world began." Other writers speak in equally harrowing strains of the havoc and ruin caused by the myriads of savages who swept over Asia in the first half of the thirteenth century, and none can help mourning over the fearful loss of human life and the destruction of intellectual treasures which accompanied their ruthless devastations. At the time (1218 A.C.) when Chengiz, "The Scourge of God," issued with his hordes from the Steppes of Tartary, Central and Western Asia, under the great Caliphs of Bagdad,

and on the decline of their power the dynasties which in their name held sway in those countries, had attained a high state of civilisation; the people were prosperous; literature, arts, and crafts of every kind were cultivated, encouraged, and patronised; the cities were populous, and embellished with fine public and private structures, the outcome of centuries of prosperity and civilisation. After converting Central Asia into a desert, Chengiz retreated to the Steppes, where he subsequently died. But his successors continued his work. In 1258 Hulaku invaded Irak; he succeeded in inveigling the misguided Caliph into his camp, and then gave the order for the sack of Bagdad and the massacre of the inhabitants. The picture in *The History of the Saracens*, drawn from the descriptions of the Arab historians of the scenes enacted in the city, which was regarded as "The Abode of Learning, the seat of the Caliphate and the eye and centre of the Saracenic world," will give some idea of the horrors and destruction caused by the Tartar savages. From Irak the Mongols marched westward; the Mussulman rulers of Syria, exhausted by the war with the Christian Crusaders, were unable to offer much resistance to their onrush. In Palestine, however, they were met by Sultan Baibars, Sultan of Egypt, and for the first time suffered a terrible defeat, which decided the fate of Western Asia and enabled the "Champion of Islam" to rid Syria and Mesopotamia of their loathsome presence.

For two years after the murder of Musta'sim b'Illah, the Sunni world felt acutely the need of an Imam and Caliph; both the poignancy of the grief at the absence of a spiritual Head of the Faith, and the keenness of the necessity for a representative of the Prophet to bring solace and religious merit to the Faithful, are pathetically voiced by the Arab historian of the Caliphs.[7] The devotions of the living were devoid of that religious efficacy which is imparted to them by the presence in the world of an acknowledged Imam; the prayers for the dead were equally inefficacious without a Caliph and Imam. The right to the Caliphate had become vested by five centuries of undisputed acknowledgment in the House of Abbas; and a member of this family, Abu'l Kasim Ahmed, who had succeeded in making his escape from the massacre by the

7. Suyuti.

Mongols, was invited to Cairo for installation in the Pontifical seat. On his arrival in the environs of Cairo, the Sultan, accompanied by the Judges and great officers of State, went forth to greet him. The ceremony of installation is described as imposing and sacred. His descent had to be proved first before the Chief Kazi or Judge. After this was done, he was installed in the chair and acknowledged as Caliph under the title of al-Mustansir b'Illah, "Seeking the help of the Lord". The first to take the oath of *Bai'at* was the Sultan Baibars himself; next came the Chief Kazi, Taj-ud-din, the principal shaikhs and the ministers of State, and lastly the nobles, according to their rank. This occurred on May 12th, 1261, and the new Caliph's name was impressed on the coinage and recited in the *Khutba*. On the following Friday he rode to the mosque in procession, wearing the black mantle of the Abbasides,[3] and delivered the Pontifical sermon. As his installation as the Caliph of the Faithful was now complete, he proceeded to invest the Sultan with the robe and diploma so essential in the eyes of the orthodox for legitimate authority.

THE OTTOMAN CALIPHATE

The Abbaside Caliphate thus established in Cairo lasted for over two centuries and a half. During this period Egypt was ruled by sovereigns who are designated in history as the Mameluke Sultans. Each Sultan on his accession to power received his investiture from the Caliph and Imam of his time (*Imam-ul-Wakt*), and he professed to exercise his authority as the lieutenant and delegate of the Pontiff. The appointments of ministers of religion and administrators of justice were subject to the formal sanction of the Caliph. Though shorn of all its temporal powers, the religious prestige of the Caliphate was so great, and the conviction of its necessity as a factor in the life of the people so deep-rooted in the religious sentiments of the Sunni world, that twice after Altumash the Mussulman sovereigns of India received their investiture from the Abbasides long after the downfall of Bagdad. The account of the

3. Black was the colour of the Abbasides, white of the Ommeyyades, and green of the Fatimides, the descendants of Mohammed.

reception in 1343 A.C. of the Caliph's envoy by Sultan Mohammed Juna Khan Tughlak, the founder of the gigantic unfinished city of Tughlakabad, gives us an idea of the veneration in which the Pontiffs were held even in Hindustan, in those days said to be full six months' journey from Egypt. On the approach of the envoy the King, accompanied by the Syeds and the nobles, went out of the capital to greet him; and when the Pontiff's missive was handed to the king he received it with the greatest reverence. The formal diploma of investiture legitimised the authority of the king. The whole of this incident is celebrated in a poem still extant in India by the Poet Laureate, the famous Badr-ud-din Chach.

About the end of the 15th century the star of Selim I, also surnamed Saffah, of the House of Othman, rose in the horizon. His victories over the enemies of Islam had won for him the title of "Champion of the Faith"; and no other Moslem sovereign—not even his great rival Shah Ismail, the founder of the Sufi [*sic*] dynasty in Persia and the creator of the first othodox Shiah State — equalled the Osmanli monarch in greatness and power.

The closing decades of that century had witnessed a vast change in the condition of Egypt, and the anarchy that had set in under the later Mameluke Sultans reached its climax some years later. Invited by a section of the Egyptian people to restore order and peace in the distracted country, Selim easily overthrew the incompetent Mamelukes, and incorporated Egypt with his already vast dominions. At this period the Caliph who held the Vicegerency of the Prophet bore the pontifical name of *Al-Mutawwakil 'alaa-Allah* ("Contented in the grace of the Lord"). According to the Sunni records, he perceived that the only Moslem sovereign who could combine in his own person the double functions of Caliph and Imam, and restore the Caliphate of Islam in theory and fact, and discharge effectively the duties attached to that office, was Selim. He accordingly in 1517, by a formal deed of assignment, transferred the Caliphate to the Ottoman Conqueror, and, with his officials and dignitaries, "made the *Bai'at* on the hand of the Sultan". In the same year Selim received the homage of the Sharif of Mecca, Mohammed Abu'l Barakat, a descendant of 'Ali, who presented by his son Abu Noumy on a silver salver the keys of the Ka'ba and took the oath by the same proxy. The combination in Selim of the

Abbaside right by assignment and by *Bai'at*, and the adhesion of the representative of the Prophet's House who held at the time the guardianship of the Holy Cities, perfected the Ottoman Sultan's title to the Caliphate, "just as the adhesion of (The Caliph) 'Ali had completed the title of the first three Caliphs". The solemn prayers with the usual Khutbas offered in Mecca and Medina to the Sultan gave the necessary finality to the right of Selim. Henceforth Constantinople, his seat of Government, became the *Dar-ul-Khilafat*, and began to be called "Islambol," "The City of Islam". Before long envoys arrived in Selim's Court and that of his son, Solyman the Magnificent, from the rulers of the Sunni States to offer their homage; and thus, according to the Sunnis, the Caliphate became the heritage of the House of Othman, which they have enjoyed for four centuries without challenge or dispute.

The foregoing sketch will, it is hoped, give some idea of the supreme importance and delicacy of the subject of the Caliphate, and the necessity of avoiding any question likely to give rise to unwelcome problems. Speaking as one outside the Sunni sect, but to some extent cognizant of its recognised doctrines and living sentiments, I believe it would be far more conducive to the well-being of the great communities in whose pacific development England, France, and Russia are interested, to preserve intact the prestige and influence of this sacred institution than to allow it to be thrown into the melting-pot of intestinal discord and schismatic strife.

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THE SULTAN OF TURKEY AND THE CALIPHATE

[Letter to *The Nation*, 8 July 1916]

Sir Edwin Pears is in error in saying in his article on "The Arab Revolt," in *The Nation* of the 1st instant, that "The Sultans of Turkey claim to be Caliphs by virtue of a formal Deed of Assignment made to Sultan Selim by the Sherif of Mecca who was then in Egypt". The mistake is serious; it forms not only the pivot of his arguments, but is likely to mislead public opinion in this country and create an unfortunate impression on the Mussulmans.

Will you permit me, therefore, to give in your columns the true history of the Assignment of the Caliphate to the House of Othman? The Assignment was made, *not by the Sherif of Mecca, but by the Caliph of the House of Abbas*, who bore the pontifical name of Al-Mutawwakil 'ala-Allah, the *de facto* and *de jure* Spiritual Leader (Imam) of the Sunni world at the time. The Sherif of Mecca did not possess then, nor does he possess now, any spiritual authority, and in any case he would have had no title to make such an assignment. Moreover, there is no recored that the Sherif of those days was present in Cairo, the pontifical seat at that time.

After Sultan Selim had duly received the *Bai'at* of the representative congregation assembled for the purpose, he was installed on the Caliphial throne with the usual ceremonials. It was after the installation that Selim received from Sherif Abul Barkat, who held the office, as the representative of the Caliph, his nomage and the keys of the Ka'ba. Abul Barkat was continued in his office by the Ottoman Sovereign, thencefore accepted as the rightful

Imam of the Sunni world.

Will you allow me to make one further observation? Considering the disquietude prevailing on the subject of the Caliphate, which it would be folly to deny, among the vast Sunni population subject to the King, I venture to think it would be in the interests of the Empire if non-Moslems and non-Sunnis were to follow the example of the Government and abstain from publicly discussing that somewhat delicate question—Yours, etc.,

AMEER ALI

2 Cadogan Place, S.W.
July 4th, 1916

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ON COMMUNAL REPRESENTATION

[Letter to *The Times*, 14 August 1918]

It [the abolition of separate representation for Muslims] is not only sure to revive the old friction and constant bitter disputes, but will also create in the minds of the Mahomedans a distrust in the pledges of the Government, and, what would be more deplorable, in the pledges of the Hindu leaders. Time will come when the growth of full unity of sentiment and a complete consciousness of identity of interest will, of itself, remove the necessity for special representation. Happily that unity of sentiment appears to be clearly developing at the top. If the details are wisely handled, it should not take long before the same unity of sentiment reaches the bottom. Until then, the need for adjustment and patience will be recognized by all who wish the success of the scheme.

Yours faithfully,

AMEER ALI

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CONSTANTINOPLE

[Letter to *The Times*, 27 November 1918]

I have read, with not a little consternation, Archdeacon Hutton's letter in to-day's issue of *The Times* on the future of Constantinople. He appears to ignore and to leave completely out of consideration the sentiments of a hundred million of his Majesty's subjects. I feel it, therefore, my duty to utter a word of warning.

The British Empire is not exclusively a Christian Empire; exactly one-fourth of its vast population follows the faith of Islam. In all the stress and struggle, which we hope and trust is now happily ended, the Musulmans of India and of the other countries under the sway of England have, in spite of the admitted "strain" on their religious sympathies--and in spite of enemy machinations—remained thoroughly steadfast. Tens of thousands of them have fought in Europe, Asia and Africa for the King and the Empire. Our neighbour, the Ameer of Afghanistan, has built up a strong barrier against enemy intrigues and kept in hand the excited feelings of the frontier tribes. The Musulman Princes of India and the Malayan chiefs responded to the call of England in a manner the like of which has not been seen before. They all have trusted that England in her hour of triumph will not leave out of account their sentiments, and will stand by them at the settlement. They regard Constantinople as the "City of Islam"—*Islambol*. The Turks hold it as trustees for the world of Islam. The feeling which swept over Musulman India and the Malayan Peninsula when the Bulgarians threatened Constantinople affords a good index of Muslim sentiment towards

that city, hallowed by memorials of their faith during four long centuries. To wrest it from them and to hand it to any other people would indeed be an outrage of their feelings.

If the map of the world is to be changed on centuries-old historical grounds, I imagine more changes will have to be made, both in the Old and in the New World.

Yours faithfully,

AMEER ALI

Reform Club
Pall Mall, S.W., November 25 [1918]

43

FRANCE AND THE RIF

[Letter to *The Times*, 2 January 1919]

I have received the following telegram from Captain Gordon Canning regarding the result of his endeavours to bring about peace in Morocco: "Make public at once failed."

I venture to think the result is disastrous—not only to the Riffs but also, though perhaps in a minor degree, to both France and Spain. It means the continuation of this unequally matched struggle which has gone on for over 12 years at immense sacrifices on both sides.

The failure of Captain Gordon Canning's efforts will come as a shock to the Moslem world. Hitherto, the great statesmen of France have created and maintained for many years past the belief that the French are the only Western nation which champion equality of rights and freedom irrespective of race or religion. This belief will be dispelled for ever. It may not be a loss to the French nation; they have added to their military prestige; the loss of the moral factor probably means nothing to them. The war will now continue and end in the practical annihilation of a gallant little race. It will add more territory to the French Empire in Morocco, *pace* the affirmations of M. Briand that he has no desire for conquest; and will enable the Spaniards to establish their dominancy, which they had failed hitherto in obtaining.

Will you allow me a word regarding M. Briand's unfortunate allegation that the "peace overtures" brought by Captain Gordon Canning were only an "Oriental ruse" to gain time? "Ruses" are not confined to "Orientals," nor is the qualifying

adjective applicable in this instance. In the present case I have every reason to believe that the overtures were honestly made by honest men with a desire for peace. I also think that M. Briand has been incorrectly informed regarding the ambitions of Amir Abd-el-Krim to become the "Emperor of Morocco". There is absolutely no warrant for such a charge. Its inaccuracy is borne out by the fact that he is willing to recognise the spiritual suzerainty of Muley Yusuf, the *protege* of France.

The British Red Crescent Society addressed to the Prime Minister of France on December 17 last an appeal signed by Lord Lamington and myself. We have received no reply yet to our letter on behalf of the non-combatant population who suffer most from the air-raids. What concerns us most are the 6,000 women and children within the Tangier International Zone whom the British Red Crescent Society and other humanitarian organizations have hitherto been endeavouring to keep alive. Our request to his Majesty's Government for the relief of these unfortunate beings has already been refused. And we feel it hopeless to make any appeal to the two other Powers who created the Zone and are responsible for its administration.

Yours faithfully,

AMEER ALI

January 1 [1919]

44

THE TURKISH PEACE TERMS*

[Letter to *The Times*, 6 June 1919]

At this critical moment we regard it our duty, as citizens of the British Empire, to plead once more for a considerate hearing at the Peace Conference of the Mussulman case on behalf of Turkey.

The tranquil development of Asia, and especially of India, closely concerns England. We venture to submit that in the light of the anguish and pain which the threatened dismemberment of Turkey has created among Mahomedans it is for England to stand by the Prime Minister's solemn pledge which will always remain memorable in the annals of the world as the statement of a farsighted and just policy, which had the desired effect of calming the anxiety of Moslems and enlisting their co-operation in the war against German ambitions. His words, already quoted by prominent public men with a knowledge of the Mahomedan mind, will not lose force by repetition. After stating some of the objects of the burden of war that we had undertaken he said as follows: "Nor are we fighting to deprive Turkey of its capital or of the rich and renowned lands of Asia Minor and Thrace, which are predominantly Turkish in race." And he proceeded to clinch his assurance in the following words: "While we do not challenge the maintenance of the Turkish Empire in the homelands of the Turkish race *with its capital at Constantinople* [the italics are ours], the passage between the Mediterranean and the Black Sea being internationalised and neutralised. Arabia, Armenia, Meso-

*Written jointly with the Aga Khan.—*Editor.*

potamia, Syria, and Palestine are in our judgment entitled to a recognition of their separate national condition."

Nothing could be more explicit nor more emphatic than the Prime Minister's pronouncement made in the name of England. It remains, therefore, for England to satisfy the Associated Powers that the wholesale destruction of Turkey is not compatible with the interests of her Empire or her good faith towards the vast millions of her Mussulman subjects. The Minister for India, responsible for her peace and good government, did not overrate by one word the extreme gravity of the situation, or the dissatisfaction and resentment to which the attempt to throw over the Prime Minister's pledge has given rise in India and elsewhere.

At this moment a great scheme of constitutional reform in India is on foot; its complete success must, to a great extent, depend on the whole-hearted and loyal co-operation of all his Majesty's Indian subjects. It would, in our opinion, prove a real calamity if the Mussulman community, numbering over 72 millions, were to stand aloof in sullen bitterness.

We believe that no statesman is more alive to the dangers of the situation than the Secretary of State for India. What do the Mussulmans want; what do we plead for? Neither they nor we ask for any new status for Turkey. We consider it, however, our duty to urge, for the fair name of England, nay of the British Empire, that the pledge our Prime Minister in the name of England gave to the world, and in particular to the world of Islam, should be maintained; and that the Turkish Sovereign, as the Caliph of the vast Sunni congregation, should be left in absolute possession of Constantinople, Thrace and Asia Minor stretching from the north of Syria proper along the Aegean Coast to the Black Sea—a region "predominantly Turkish in race". It would, in our opinion, be a cruel act of injustice to wrench any portion of this tract from Turkish sovereignty to satisfy the ambitions of any other people. Instead of bringing peace to Western Asia, such a settlement will sow the seeds of constant wars, the effect of which cannot be expected to remain confined to the country where they happen to be waged.

For the defection of the unscrupulous adventurers who dragged their stricken people, who had already undergone great misery,

into the world war, Turkey has been sufficiently punished by the secular expropriation of some of her richest provinces. But we submit that the maintenance of the Ottoman Sovereign's spiritual suzerainty in those countries, whilst maintaining his prestige and thus conciliating Mussulman feeling, would be the means of making the position of the Mussulman rulers or governors of those countries unimpugnable. But so far as Thrace, Constantinople, and the homelands of the Turkish race are concerned Mussulman feeling from top to bottom is absolutely opposed to any interference under any shape with the Sultan's sovereignty.

We ask your permission to add one more remark. The Afghan outbreak, which we deplore should not be used, as seems to be suggested in some quarters, for the purpose of avoiding the fulfilment of the Prime Minister's pledge or the due consideration of the feelings and sentiments of the Mussulman people. The outbreak in India did not deter Mr. Montagu from carrying out his promise to his Majesty's Indian subjects; nor should outbreaks like those of the Afghans or Kurds deter the fulfilment of the Prime Minister's assurance or from doing what is an act of simple justice dictated by both policy and humanity.

AGA KHAN

June 3 [1919] AMEER ALI
41 Sloane Street, S.W.1

45

THE TURKISH PEACE SETTLEMENT*

[Letter to *The Times*, 2 August 1919]

A fresh memorial to which we also are signatories, extensively signed by Muslims, Hindus and Englishmen, has just been submitted to the Prime Minister, strongly protesting against the new design attributed to the Peace Conference for the dismemberment of Turkey and the disintegration of the Turkish nation. It is a reasoned document, and we trust it will receive due consideration from Mr. Lloyd George and his colleagues who have the settlement of this momentous matter in their hands.

But we beg leave to trespass on the hospitality of your columns to call the attention of the British public, who are deeply concerned in winding up the war business, to the fact that the design of despoiling Turkey of Constantinople and Thrace, of giving her seaports to other nations, of shutting her off from all access to the sea and to the markets of the world, and penning up 6 or 7 million Moslems on the Plateau of Anatolia, placing the rest under subjection to alien races, will be no "settlement" at all; it will, in our opinion, be a real tragedy and the gravest of blunder. The British public, we hope, will realize what this design, if carried into effect, would in truth mean. It would shut off the "penned up" nation from all communication with their co-religionists in other parts of the globe; it would debar them from intercourse with other nations; it would deprive them of all chances of progress and development; it would sow the seeds of

* Written jointly with the Aga Khan.—*Editor*.

discontent and cruel racial wars and feuds, and would be the cause of perpetual unrest in the whole of Asia, not to speak of the unquenchable bitterness it would create in the hearts of the Mussulmans all over the world.

Ever since the grant of the Dewanny in 1765 to the East India Company by the Emperor of Delhi and Lord Lake's Treaty in 1802, the Mussulman element has been the most steadfast to the British Crown. And now, to appease the ambitions and "earth-hunger" of certain nationalities whose help in this war can hardly be compared with the sacrifices the Mussulman soldiers brought to the cause of England, we have turned their devotion, to put it mildly, to something akin to bitterment. Whether the feeling of the Mussulmans of India in regard to Turkey and the Ottoman Sovereign is old or new is immaterial. It is a living and universal sentiment and must be counted as a factor in practical politics. Is it wise, is it statesmanlike, to treat this living sentiment in the way, we are told, the Peace Conference proposes to do?

AGA KHAN

AMEER ALI

41 Sloane Street, S.W. 1

46

ON E.S. MONTAGU'S RESIGNATION

[Letter to *The Times*, 14 March 1922]

The resignation of Mr. Montagu has caused somewhat unseemly jubilation in certain quarters, but, as you anticipated, the impression among the Indian people, whose confidence and trust he enjoys, is different. He is believed to have been sacrificed for his unswerving adherence, in the interests of the Empire, to what he considered the right policy.

The telegram of the Viceroy was sent, as it says, with the full concurrence of the provincial Governors, "men on the spot," cognizant of the acute difficulties of the situation and responsible for the peace of the territories over which they rule, and for the lives and property of the inhabitants, Indian and English. Its object was clearly to create at a critical juncture an atomsphere of good will by showing that the Government of India was in sympathy with Moslem claims, subject to proper reservations.

How far this purpose will be effected by the present unfortunate incident it is useless to discuss. But the talk that Indian Mahomedans are trying to "dictate" British policy or to "intimidate" his Majesty's Government is sheer nonsense. They, like the other subjects of the King, have the fullest rights to communicate in a constitutional manner their views on Imperial policy vitally affecting their religious sentiments. And I venture to think the Viceroy and the provincial Governors were fully justified in the course they took to allay, so far as possible, on one side the prevailing ferment, and on the other to acquaint the Government here of their views.

On the "constitutional" question arising out of the publication of the telegram, I offer no opinion. The passage in it relative to the suzerainty of the Sultan over the Holy Cities has, I see, caused some perturbation of spirit in political quarters. It might be better for the Empire if those who wish to control or guide the destinies of other nations were to acquaint themselves with the laws and institutions of those people. It is notorious that the influx of pilgrims into Hedjaz has fallen off, with the consequence that King Hussein's exchequer is now quite impoverished and Great Britain may have perennially to come to his help. But no one, so far as I am able to see, has taken the trouble to inquire into the cause.

The reason of the stoppage of the pilgrims lies in the anomalous position of the present ruler, who is considered by the Moslem world to have no such legitimate right to the Wardenship as would enable the pilgrims validly to perform the essential rites associated with the Haj. Properly to exercise his religious functions the Warden, under the Moslem ecclesiastical law, requires investiture by the chief religious head—the Caliph—who must be a free and independent sovereign. The ministrations of the Warden, his participation in the religious services, otherwise are considered devoid of "merit". Hence the desire of the Indian Moslems for a restoration of conditions such as would enable them, with others of their faith, to perform the Haj, which is an obligatory duty in Islam, with all its attendant ceremonials in conformity with their religious rules.

In view of their demand for the regularisation of the position of the Warden, more is involved than mere religious sentiment. This consummation may be a matter of small moment to the Turks, but it is of importance to the British Empire and to the Muslims of the world

AMEER ALI

March 13 [1922]

47

PEACE IN THE NEAR EAST

[Letter to *The Times*, 18 August 1922]

Your forcible leading article in *The Times* of August 5 on the recent speech of the Prime Minister on the Near Eastern situation will, I believe, have a moderating effect in the Muslim World, for it shows that England as a whole does not endorse his views in respect of the adjustment he appears to advocate. All the same, the eulogium on the Alexandrine achievements of King Constantine's army and the unmeasured denunciation of the Turks will rekindle the furious indignation among the King's Muslim subjects with British policy towards Turkey.

They and the Muslims throughout the world are watching, not without bewilderment, its shifting phases, as also the adroit game the Greeks are playing with British backing. The Muslims form fully one-fourth of the vast population of the Empire; sentiments of a hundred millions of people united by the strongest of ties, the bond of a common religion with their suffering co-religionists in the West, though lacking in weight in the political scale as against the Greeks, can hardly be ignored or under-rated by practical statesmen charged with the destinies of a great composite Empire like that of Great Britain, especially when those sentiments prevail throughout Islam.

Mr. Arthur Moore, with his unique knowledge of the Middle East and Islamic countries in general, has recently described in the columns of *The Times* the strength of feeling in Afghanistan. Other observers speak of the sympathy with the Turks in their struggle for liberty against an implacable foe, in countries over

which we have obtained mandatory powers. Is this all to be ruled out of the domain of practical politics simply to satisfy the ambitions of King Constantine, whose ambitions are no less vaulting than were those of his brother-in-law?

The interest of the Muslims of India in Turkey, or in the Turkish nation, or in the Caliphate, is not new born; those who remember, as I do, the wild excitement in India when Constantinople was threatened by the Russians in 1877 will realize what the effect would be if, by any shuffling of the cards, it was exposed to the danger of a sudden *coup* by the Greek forces which were allowed without protest to concentrate in the vicinity. Constantinople, the sacred city of Islam, the seat of the Caliphate, is now in the occupation of the Allies; under the terms of the Armistice the Turks have been rendered powerless to defend it themselves. Its defence rests entirely in the hands of the Army of Occupation. There is a binding guarantee that the city belongs, and will continue to belong, to Turkey, and will remain the seat of the Caliphate. I would refer to the speech of Mr. Lloyd George delivered in the Commons on February 26, 1920. I would also refer to the assurances given to the Muslim delegation from India. In the face of these engagements, and change in the status of that city would be the grossest breach of faith, and statesmen permitting such an outrage would be doing irreparable injury to British prestige.

I have ventured several times before to plead in your columns in the interests of Great Britain for a speedy and equitable settlement in the Near East in accordance with British promises and British honour. Only a settlement on this basis will endure and restore the normal life of the Eastern world. Recent declarations, especially the one made after the March Conference, relating to the evacuation by the Greeks of Asia Minor, had revived confidence in India in a policy of good will and justice towards Turkey; now we are once more confronted with the troubles the end of which had been so strongly hoped for by all well-wishers of the Empire.

The German crime has been condoned; so have the murders of British and French soldiers and sailors in the Piraeus in 1916; so has the attempt to hand over the Greek army to the Kaiser's generals. Does it answer any useful purpose to dwell constantly on

the culpability of Turkey in joining in the war? It only helps to keep alive hatred and vengeful feelings. Perhaps some day we will know the real history of how Turkey was driven into the German arms. In the meantime, the whole world is crying out for peace. In Asia Minor thousands upon thousands of Muslims, fleeing from massacre, are dying in exile from starvation, thousands of homes are lying isolated, numberless farms and villages are lying untilled and uninhabited; mosques, shrines and colleges destroyed in hundreds tell the story of reckless vandalism.

In India there is discontent, ferment and resentment, which paralyse all efforts at appeasement and pacific development. At this critical stage the statesman's task lies in the creation of an atmosphere of reconciliation and the restoration of peace in a terribly harried country. Nor should the necessity of pacification within the King's own Dominions, and the devising of a bulwark against the Red danger from the north which threatens the whole fabric of civilization, be left out of consideration. Mr. Lloyd George is endeavouring to restore peace in Europe; will he not devote a fraction of his labours and his great talents to the establishment of peace in the Near East on durable lines, in the calming of the vast millions of the King's subjects who profess the faith of Islam and to the winning back of their friendship, which forms no mean asset in the rulership of the East?

I am, Sir, yours faithfully.

AMEER ALI

Engadine, August 10 [1922]

48

PRIME MINISTER AND THE TURKS

[Letter to *The Times*, 17 October 1922]

I have read with pained amazement the report of the Prime Minister's speech in Manchester.

As an attempt to vindicate before the British electorate his policy at home and abroad, I have nothing to do with it But I am concerned, and gravely concerned, with the impression it will make on the vast millions of Muslims who owe allegiance to the King, and to whom and to the British colony living in their midst the first servant of the Crown owes a supreme duty

What the effect of the infelicitous references in the speech will be on the people whom his Majesty's Government have invited to a conference to discuss terms of peace I cannot tell. But I can tell what the effect will be on the people of India.

It is now admitted that the formidable preparations before Constantinople, ostensibly for the protection of "the freedom of the Straits", which was never threatened, were really designed to "impress the Oriental mind", and to prevent the Turks from pursuing their defeated enemy into Thrace and completing the emancipation of their people. The "Oriental mind" is not so simple as Ministers imagine; they see through pretences and this breeds suspicion and fosters ill-feeling It is a pity the idea of preventing slaughter and conflagration did not occur to our statesmen when the Greeks were let loose in Asia Minor. It would have saved many thousands of lives and untold suffering to both Muslim and Christian.

It is worth noting that throughout the declamation about

"massacres" there is not a single word of condemnation of the horrors perpetrated by the Greeks; of women and children driven into mosques and other buildings, which were then set on fire; of villages and towns reduced to ashes, of desolated farms and desecrated homes; of the attack of the retreating Greek troops literally covered with human bodies! Nor is there one word of acknowledgment of the restraint and the discipline, as we are informed by Englishmen, of the Turkish army in the midst of this havoc and slaughter.

Apart from the ludicrous exaggeration of the figures of Armenians and Greeks alleged to have been massacred by the Turks, there is a grim simplicity about the logic. Old crimes by individuals are raked up to intensify the hatred against a nation which has just achieved its liberation, whilst recent horrors committed against it are passed over in silence. Mr. Lloyd George evidently believes the Eastern Christian to be incapable of committing a crime; he has passed unread all the evidence from the Carnegie Commission up to the present reports by American, British and French correspondents.

Even in his most exalted mood, when out to smite the Amalekites, "Turks and pro-Turks," he might well have remembered that he was the head of a wide-flung Empire composed of many millions of people professing the same faith as the Turks, and that it would be wiser to refrain from introducing the "sword" into his fiery speech. Anyone acquainted with the East would tell him how dangerous such figures of speech are, and how apt they are to be taken literally.

Yours faithfully,

AMEER ALI

October 16 [1922]

49

TURKEY AND THE CALIPH[1]

[Letter to *The Times*, November 1922]

Untrammelled powers in the hands of Caliphs and Sultans, just as much as in the hands of Czars and Kaisers, have been the cause of untold evils; and one can hardly blame new Turkey with its aspirations to enter the comity of free nations on a basis of common rights and common duties as being wrong in placing a check, not only on the despotism of the palace, but also on the intrigues with which its [*sic*] was beset,—mainly Indian intrigues. Nor is its desire to make the office of the Caliph dependent on the voice of the people without warrant in law and tradition. It ensures the election of a fitting and worthy pontiff and carries back the dignity to the days of the early Caliphs before the Ommeyades came into power. Whether some temporal duties should not remain attached to the Caliphate is a question which the Angora National Assembly must consider in a less excited mood. The present is a moment of anxiety. They are still face to face with a grave situation. They have shown great military capacity. Now they have to prove by their far-sightedness and grasp of the needs of their country and their people, that they are statesmen as well as patriots

AMEER ALI

1. This text is taken from the *Civil and Military Gazette* of 26 November 1922. It does not mention the date on which this letter was written or published in *The Times*. It was sent to Lahore by "mail telegram" from London on 9 November.—*Editor.*

50

THE CALIPHATE AND THE ISLAMIC RENAISSANCE

[*Edinburgh Review*, January 1923 pp. 180-95]

The recent election of a new Caliph as the religious head of the vast millions who belong to the Sunni communion of Islam has stimulated widespread interest in the history and significance of this unique dignity. The followers of Islam constitute an immense population stretching from the western coast of Africa to the easternmost part of China, from the Khirgiz Steppes of Central Asia to the Malayan Archipelago. All are animated by one common sentiment of unity of faith and doctrine. Even the long-standing feud between Sunni and Shiah has now disappeared as a factor in practical politics. But the Sunnis form by far the largest section of the Islamic population. Taking 300 millions as a moderate estimate of the followers of Islam among the world's inhabitants (the Moslems themselves place the figure considerably higher) some 270 millions profess the Sunni doctrine. The Shiahs barely exceed thirty millions, of whom about twelve millions inhabit Persia, the principal Shiah State; some ten million dwell in India; the rest live dispersed in various Asiatic countries and North Africa. The Sunni population extends in a solid mass from the shores of the Atlantic to the confines of China, with Persia only to interrupt the continuity of the chain. The land of Confucius is reported to contain some thirty-five millions of Moslems, all of whom belong to the Sunni communion, and all of whom look to Constantinople as the seat of their religious head. The chief causes which led to this starting disparity in the numbers of the two sects

need not be discussed here.

Among the moral forces which govern the lives and conduct of human beings the mystical element is one of the strongest. Both Sunnis and Shiahs recognise the strength of this mystical element in their religious conceptions; both believe that the spiritual leadership of Islam (the *Imamate*) is the *nexus* which links the Founder of the Faith with his followers. But they differ in their conception of the right to the *Imamate*. The Shiahs believe in divine appointment: they hold that the spiritual leadership belongs exclusively to the House of Mohammed; that it descended in the direct line of his rightful successors until it came to the 12th Imam, who disappeared in a cavern in Mesopotamia in the year 878 A.D. They believe that he is alive and will re-appear towards the end of the world to redeem mankind from sin and sorrow. He is therefore called the *Ghaib* (the 'absent'), the *Mahdi* (the 'guide') and the *Muntazzar* (the 'awaited'). He is believed to be always present in spirit at the devotion of his fold. The expounders of law and the ministers of religion are his representatives on earth; and the temporal chiefs are his delegates in the secular affairs of the world.[1] The Shiahs also believe that the Imam must be sinless or immaculate, and 'the most excellent of mankind'.

The conception of the Sunnis is quite different. They believe the promised Guide is not yet born, and for that reason it is esential under the sacred law to have a Vicegerent (*Khalifa*) of the Prophet elected to that office by the voice of the people. To the Sunnis the *vox populi* is the *vox dei*. According to their doctrines, among the qualifications necessary for occupying the pontifical throne, the first and most essential is that the Caliph should be a Moslem and should belong to the Sunni persuasion. He must also be a man of good character, possessed of the capacity to transact affairs of

1. I am speaking here of the principal Shiah sect, the followers of the twelve Imams. A group of Shiahs succeeded in building up in the 10th century a rival Caliphate in North Africa and founded esoteric centres for the diffusion of their peculiar cult. The representatives of this sect are now to be found in fragments in different parts of Asia and Africa. One of their centres was the 'Eagle's Nest' whence the 'Old Man of the Mountain' waged relentless war against Sunni orthodoxy and society in general through his devoted disciples and emissaries

State and competent to lead the prayers. The Sunnis further insist that the Caliph should be an independent ruler, not subject to a foreign Power.[2] His responsibility for the proper use of the powers vested in him is necessarily associated with his office and dignity.

There is little or no analogy between the Pontiff of the Church of Rome and the Caliph of Sunni Islam. The Caliph's temporal powers involve certain duties, e.g., the defence of the Empire, administration of the State, questions of peace and war, foreign relations. But all these can be entrusted to 'deputies,' to a Council or, in the language of modern Europe, to Parliament. If the Caliph transgresses the laws he runs the risk of being deposed by the constituted law officers. The Sunni religious law insists that the Imam must be actually present in person to impart religious efficacy to the devotions of the Faithful; and that, where it is not possible for him personally to lead the prayers, he should be represented by properly qualified persons.

These doctrines are enunciated in detail in most works on jurisprudence and scholastic theology. The *Khilafat*, it is explained, is the Vicegerency of the Prophet; it is ordained by Divine Law for the perpetuation of Islam and the continued observance of its ordinances and rules. For the existence of Islam, therefore, there must always be a Caliph, an actual and direct representative of the Master. The *Imamate* is the spiritual leadership; but the two dignities are inseparable, for as the Vicegerent of the Prophet, the Caliph is the only person entitled to lead the prayers that is, when he can himself be present. No one else can assume his function unless directly or indirectly 'deputed' by him. Between the Imam and the congregation there is a spiritual tie which binds the one to the other in fealty to the Faith. There is no inconsistency between this dogma and the rule that there is no priesthood

2. The early doctors, on the authority of a reported saying of the Prophet, included another condition among the qualities necessary for the Imamate, namely, that the Caliph-Imam should be a Koreish by birth. Ibn Khaldun's explanation shows the exact meaning of the Prophet's saying. At the time the Islamic Dispensation was given to the world, a qualified and capable ruler of the Faithful could only be found among the Koreish, who were the most advanced and powerful of the tribes of Arabia. And the Prophet therefore recommended that the Caliph and Imam should be chosen from among them. This view is now universally accepted by Moslem scholars and divines.

in Islam. Each man pleads for himself before his Lord, and each soul holds comwunion with God without the intermediation of any other human being. The Imam forms only the link between the individual worshipper and the evangel of Islam.

Under the first four Caliphs, secular and religious affairs were conducted by the Caliph, assisted by a Council of Elders consisting of the principal Companions of the Prophet (the *Sahaba*). The tribal chiefs and ordinary citizens often attended the sittings in the mosque. Under the Ommeyyades, who held the Caliphate from 661 to 757 A.D., the semblance of a Council was maintained; but in reality the holder of the dignity was a despotic monarch controlled to some extent by the expounders of the law. Under the Abbasides, the rule enunciated by the Prophet that everything connected with the commonwealth should be transacted in consultation with the people, was more strictly observed. Under the later Abbasides, however, the direction of temporal matters passed gradually into the hands of 'delegátes' of the Caliph who always, in theory at least, had a Council to assist in their decisions.

On the death of Mohammed, Abu Bakr, who by virtue of his age and the position he had held at Mecca occupied a high place in the estimation of the Arabs, was elected as the Vicegerent of the Prophet. He was recognised as a man of wisdom and moderation, and his election was accepted by the Prophet's family. After the multitude had taken the oath of fealty to him the newly elected head of the Commonwealth of Islam said:

'Behold me charged with the cares of government I am not the best among you; I need all your advice and all your help. If I do well, support me: if I mistake counsel me. To tell truth to a person commissioned to rule is faithful allegiance; to conceal it is treason. In my sight, the powerful and the weak are alike; and to both I wish to render justice. As I obey God and His Prophet, obey me; if I neglect the laws of God and the Prophet, I have no more right to your obedience.'

Abu Bakr died in 634 A.D., and was succeeded by the great Omar. The same procedure of election was followed in his case. Omar in his first pontifical address is reported to have said:

'My brethren, I owe you several duties and you have several

rights over me. One of them is that you should see that I do not misuse the income of the State, that I do not adopt wrong measures in the assessment of the dues to the State; that I should protect the frontiers; that I should not involve you in unnecessary wars. Whenever I err, you have a right to stop me and take me to task.'

How many modern statesmen may not take a lesson from the words of this wise ruler?

This was the Caliph who received, soon after his accession, the capitulation of Jerusalem. Sophronius, the patriarch who was defending the city, refused to surrender the place to any but the Caliph himself. Omar acceded to the request and travelling with a single attendant, without escort and without any pomp or ceremony, arrived at Jabia, where he was met by a deputation from Jerusalem. To them he accorded the free exercise of their religion, and the possession of their churches and their property, subject to a light tax. He then proceeded with the deputation towards Jerusalem. On the capitulation of the city he granted to the inhabitants similar immunities.

Omar was succeeded first by Osman and then by Ali. Both were elected, as their predecessors had been. It is for this reason that the first four Caliphs of the Sunnis bear the designation of the 'true Caliphs,' since they fulfilled in their persons the Sunni ideal of elevation to the office by the suffrage of the people. With the assassination of Ali, the democratic rule came to an end. Of this first republic of Islam, a philosophical French scholar says:

'Thus vanished the popular regime, which had for its basis a patriarchal simplicity never again to appear among any Musulman nation; only the jurisprudence and the rules which depended on the Koran survived the fall of the elective Government. Some of the republican passion, however, which gave to the small States a certain grandeur, and to the great an excess of force, maintained itself in the nation in spite of the armies of the usurpers.'[3]

On the assassination of Ali, the Caliphate was seized by Muawiyah of the House of Ommeyya (an offshoot of the Koreish).

3. Oelsner, 'Des Effets de la Religion de Mahomet.'

who converted it into an hereditary sovereign office. Thus began the Ommeyyade dynasty. On the death of Muawiyah's grandson, the Caliphate passed into another branch of the same family, which produced some great rulers. North Africa and Spain were conquered in the reign of the sixth Caliph belonging to this dynasty. The eighth, Omar bin Abdul Aziz, has been deservedly called 'the Marcus Aurelius of the Arabs'. But with his exception the Ommeyyades were absolute monarchs. Although the form of election was maintained, the succession was in fact governed by the nomination of the preceding Caliph. The Ommeyyades ruled for less than a century, but within that space of time the expansion of Islam was marvellous. Their capital was Damascus, and their authority stretched from the Indus to the Pyrenees, and from the Jaxartes to the Indian Ocean. In 757 A.D. the Ommeyyade dynasty closed tragically and the Abbasides came into the possession of the Caliphate.[4] In the Abbaside family it remained until it passed into the hands of the House of Osman in 1517 A.D.

The first Caliph of the Abbaside dynasty was elected to that high office in the Cathedral Mosque of Kufa, where the oath of fealty was sworn to him by the assembled congregation. He was succeeded by his brother Mansur, who was undoubtedly a man of considerable sagacity. He built Bagdad and made it a magnificent city. Long before Western Europe had emerged from the darkness of the Middle Ages, Mansur had organised and established a carefully regulated machinery of government, which became a model both for Asia and Europe. An enumeration of the Boards which conducted the government would give an idea of the grasp of his intellect. To Mansur also belongs the credit of placing the Sunni Church on a solid foundation.

It may, indeed, be said that all the first eight Caliphs of the Abbaside dynasty were men of exceptional ability. Harunar-Rashid and Mamun are entitled to rank with the great rulers of the world. Under the Ommeyyades, non-Moslem subjects had been, generally speaking, excluded from all avenues to posts of emolument and honour. Their fidelity was mistrusted and they were

4. For the events connected with the fall of the Ommeyyades see 'History of the Saracens' (Macmillan).

objects of suspicion, often not without reason. In England, Catholics and Jews suffered similar disabilities until quite recent times. The revolution which wrested the supreme power from the Ommeyyades and transferred it to their rivals, led to the establishment of a wide spirit of tolerance. The non-Arabs, as the subjects of a great and civilised empire, assumed their proper place as citizens of the Commonwealth of Islam ; they were admitted to the highest employments of State, and enjoyed equal consideration with the Arabs. The acceptance of this principle of racial equality among all their subjects helped the early soverigns of the house of Abbas to build up a fabric which endured without a rival for over five centuries, and fell only before a barbarian attack from without. Harunar-Rashid, after his conquests in Asia Minor in extension of the same principle, granted to the Greek inhabitants of the conquered territories equal rights with his Moslem subjects. This was in accordance with the rules laid down by the Prophet.[5] But after their treacherous revolt and their massacre of the Moslems the great Caliph withdrew the immunities he had conferred on them and ordinated that their garments should be of a different colour. This was not done as a mark of contempt for their faith, but as a protection against future treachery.

The glory of the Abbaside Caliphate began to decline with the accession of the ninth Caliph of that dynasty in 847 A.D. The Turkish legionaries, like the Praetorian guards, then began to claim a voice in the election of the Caliph ; and in 945 A.D. under the Caliph Mustakfi, the princes of Deilem, who are known in history as the Buyides, constituted themselves 'Mayors of the Palace.' The eldest received the title of Sultan, and the practical government of the country passed into their hands. In spite, however, of the loss of their temporal authority, the spiritual prestige of the Abbaside Caliphs in the Sunni world was so high that the Moslem conquerors and rulers who sprang up in Central Asia and elsewhere invariably solicited from the Pontiff his authorisation and his formal investiture, with the object of legitimising their rule and making insurrections against them illegal. It is a cardinal principle of the Sunni doctrine that so

5. See the 'Spirit of Islam,' pp. 274, 489.

long as a duly elected Imam is not declared a 'transgressor' or forfeits his authority for desertion of his trust or breach of the sacred laws, any rising against him is regarded as unlawful. Hence the anxiety of the great chieftains to obtain the recognition of the Caliph. On receipt of the Firman and investiture the legitimacy of their title to rule became established. Mahmud of Ghazni obtained a diploma and robe of honour (*tashrif*) with which he was invested by the Caliph's envoy with impressive pomp and ceremony. He received the titles of Sultan and of *Yemin-ud-dowla* ('the right hand of the Empire') and *Amin-ul-Millat*, 'Guardian of the Faith'.

As the Ghaznavide power waned in Mid-Asia and the Buyides lost ground in Irak, the Seljuks, a Turkish tribe settled in Khorasan, rose into prominence. The Caliph Kaim conferred on their Chief Tughril, a mighty conqueror, the dignity and title of Sultan and invested him with supreme temporal authority over the countries which recognised the spiritual sway of the Abbasides. This was continued to Alp Arslan, his successor in the over-lordship of the Seljukides. Alp Arslan smote the Byzantine at Malazkard, not many marches from the spot where the Greeks sustained their recent decisive defeat, and drove them out of Asia Minor. Alp Arslan's brilliant son, Malik Shah, patron of the astronomer-poet, Omar Khayyam, and of the famous administrator Nizam-ul-Mulk, received also with the title of Sultan, that of *Jalal-ud-Dawla* ('Glory of the Empire.') On his death in 1093 A.D. his empire was partitioned among his sons, each of whom received the diploma of authorisation with the title of Sultan. With the decline of the Seljukides the temporal authority of the Caliphs grew, until about the middle of the 12th century they regained full control in Irak, Lower Mesopotamia and Fars. In 1226 A.D., Altamsh [*sic*], the third Pathan King of Delhi, solicited the Caliph Mustansir for investiture. The route from Bagdad to Delhi was still open, and an embassy from the City of Caliphs proceeded to Hindustan to hand the King the coveted diploma conferring on him the title of Sultan and the authority to lead the prayers.

Thus through the long course of ages even when the Pontiff was, politically speaking, a mere cypher, the theory was scrupulously

maintained, in accord with the religious law, that the delegation of temporal authority, whether absolute or partial, whether *in toto* or with reservations, emanated directly from the Vicegerent of the Prophet; but the delegation could only be made to a Moslem. The student of history will no doubt observe a strange analogy between the rule of the Shari'at and the theory of the British Constitution that the throne is the fountain of all authority. The Caliph Mustansir died in 1242 A.D. at the most critical period in the destiny of his house and of Saracenic civilisation. His son, Musta'sim b'Illah, the thirty-seventh and last Caliph of the House of Abbas, was weak, vacillating, and fond of pleasure; his Caliphate was one continuous record of disturbance at home and trouble abroad, culminating in the destruction of Bagdad by the Mongols in the year 1258 of the Christian era. The Caliph, together with his sons and the principal members of his family, perished in the general massacre; only those scions of the House of Abbas escaped the slaughter who were absent from the capital, or succeeded in avoiding detection.[6]

For two years after this massacre the Sunni world was without an Imam and Caliph. The grief felt by Musulmans at the absence of a spiritual Head of the Faith, and the acute need for a representative of the Prophet to bring solace to the Faithful are pathetically voiced by the Arab historian of the Caliphs. The devotions of the living were deviod of that religious efficacy which is imparted to them by the presence in the world of the Vicegerent of the Prophet. Appreciating the necessity of reviving the Caliphate, Sultan Baibars, who became master of Egypt in 1259 A.D., invited a member of the House of Abbas, Abu'l Kasim Ahmed, who had succeeded in making his escape, with the Prophet's relics, from the massacre, to come to Egypt for installation in the pontifical seat. On his arrival in the environs of Cairo, he was met by the Sultan, accompanied by the judges and other great dignitaries and officers of State. Before the ceremony could take place his descent had to be proved before the chief Kazi (or judge). After this had been done, he was installed in the chair

6. For a full account of the sack of Bagdad and its attendant horrors, see the 'History of the Saracens,' p. 395.

and acknowledged as Caliph, under the title of al-Mustansir b'Illah—'Seeking the help of the Lord'. This occurred on the 12th May 1261, and the new Caliph's name was impressed on the coinage and recited in the *Khutba* (the customary address after prayers). On the following Friday he rode to the mosque in procession, wearing the black mantle of the Abbasides, and delivered the pontifical sermon. As his installation as the Commander of the Faithful was now complete he proceeded to invest the Sultan with the robe and diploma so essential for the exercise of legitimate authority.

The Abbaside Caliphate thus re-established lasted in Cairo for over two centuries and a half. During this period Egypt was ruled by chiefs who are designated in history as the Mameluke Sultans. Each Sultan on his accession to power received his investitute from the Caliph, and claimed to exercise his authority as the lieutenant and delegate of the Pontiff. The letters-patent appointing ministers of religion and administrators of justice usually bore the Caliph's sign-manual. Though shorn of all its temporal powers, the religious prestige of the Caliphate was so great, and the conviction of its necessity as a factor in the life of the people so deep-rooted in the religious sentiments of the Sunnis that in the 14th century long after the fall of Bagdad a Musulman sovereign of India received his investiture from the Abbaside Caliph of Cairo.

The establishment of the small Turkish colony in Asia Minor, which in the course of less than four generations grew into a nation was almost coeval with the sack of Bagdad by the Mongols in 1258 A.D. Sultan Ala-ud-din, the last Seljukide king of the principality of Iconium, planted in the Sakaria valley four hundred families of his congeners who had, under Mongolian pressure, migrated from Khorasan—to act as wardens of the marches against the Greeks. This small tract of country became the cradle of the nation which took from Osman, the son of their original leader and their eponymous hero, the name of Osmanli.[7] The expansion of this small principality was as remarkable as the

7. Osman pronounced as Othman led to the origin in Europe of the term Ottoman.

vitality of its people. After their crushing defeat by Timut [*sic*] (Tamerlane) they recovered strength to resume their conquests in Europe so rapidly as to astonish and confound their enemies.

'The rapidity of their growth, (says Dr. Libyer), from so small a beginning, and under such apparently unfavourable circumstances, into a durable State is one of the marvellous things of history. In about two and a quarter centuries from the time of their independence they were able to attempt for the last time to unite the entire Mediterranean civilisation into one Empire. North Africa, Syria, the Tigris-Euphrates Valley, Armenia, Asia Minor, Greece, the Balkan Peninsula, a large part of modern Austria-Hungry and of modern Russia, were theirs; they threatened Italy, Central and Eastern Europe and Persia. They thus held all three of the earliest centres of Mediterranean civilisation, the western half of the old Persian Empire, and all the dominations of Rome, except the north-western one-third'.[8]

Mohamed II, the Conqueror, captured Constantinople in 1453. Towards the end of the same century the star of Selim I, the grandson of the Conqueror, rose in the horizon. His victories over enemies of Islam won for him the title of 'Champion of the Faith'; no other Moslem sovereign, not even his great rival Shah Isma'il, the founder of the Sufi [*sic*] dynasty in Persia and the creator of the first orthodox Shiah State, equalled the Osmanli monarch in greatness and power.

The closing decades of the fifteenth century had witnessed a vast change in the conditions of Egypt. A few years later the anarchy that had set in under the later Mamelukes reached its climax. Selim I was invited by a section of the Egyptian people to restore order and peace in the distracted country, and he easily overthrew the incompetent Mamelukes. He then proceeded to incorporate Egypt into his already vast dominions. The Caliph who at this period held the Vicegerency of the Prophet bore the pontifical name al-Mutawwakil 'ala-Allah ('contented in the grace of the Lord'). He perceived that the only Moslem sovereign who could, by combining in his own person the double functions of

8. 'The Government of the Ottoman Empire in the time of Sulaiman the Magnificent.'

Caliph and Imam, restore the Caliphate of Islam in theory and in fact, and discharge effectively the duties attached to that office, was Selim. He accordingly in 1517, by a formal deed of assignment, transferred the Caliphate to the Ottoman conqueror, and with his officials and dignitaries 'made the Bai'at on the hand of the Sultan'. In the same year Selim received the homage of the Sherif of Mecca, a descendant of Ali, who despatched his son to present on a silver salver the keys of the Kaaba, and took the oath by the same proxy. The combination in Selim of the Abbaside right by assignment and by *Bai'at*, and the adhesion of the representative of the Prophet's House, who held at the time the guardianship of the Holy Cities, perfected the Ottoman Sultan's title to the Caliphate, 'just as the adhesion of Ali had completed the title of the first three Caliphs'. The solemn prayers with the usual *Khutba* offered in Mecca and Medina to the Sultan gave the necessary finality to the right of Selim. Henceforth Constantinople, his seat of government, became the *Dar-ul-Khilafat*, and began to be called *Islambol*—'The city of Islam'. Before long envoys arrived in Selim's court and that of his son, Solyman the Magnificent, from the rulers of the Sunni States to offer their homage; and thus, according to the Sunnis, the Caliphate became the heritage of the House of Osman, which they have enjoyed for four centuries without challenge or dispute.[9]

The title of Sultan was for the first time bestowed by the Abbaside Caliph Wasik upon one of his Turkish generals. It seems to have remained virtually in abeyance until the Buyides rose to power, when it was conferred on those princes. Afterwards it was bestowed, as we have seen, on the Seljukide sovereigns, on Mahmud of Ghazni and the Indo-Moslem rulers. Until the Caliphate was assigned to Selim, the two dignities were quite separate; in fact, one was the title of a dignitary of the Empire, whilst the other was

9. The whole account of the installation of Selim on the pontifical throne is set out in the monumental work of the great Swedish schoar, d'Ohsson, who had unique facilities of access to the imperial archives in Constantinople. His work was published in 1787. Ibn Ayas the Egyptian historian, refutes the story that Selim 'forced' Mutawwakil to assign the Caliphate to him. According to Ibn Ayas both Selim and Solyman treated Mutawwakil with consideration.

the designation of the religious head of the Sunni Commonwealth. When Selim was invested with the Caliphate, he was already the Sultan of the Ottomans, and the two offices thus became combined in him. The title of Ameer-ul-Mominin, the 'Commander of the Faithful,' also became his.

The combination of the Sultanate and the Caliphate in Selim and his successors naturally led to a clash of ideals. The Sultan as the chief of the Ottoman nation was an absolute monarch. His absolutism was, it is true, limited in practice by the Shari'at and tempered by custom and usage, but he was in theory the sole master of the lives and liberty of his subjects. His will was law ; and he could launch his people into war or get them out of it as he wished. This was the world-old conception of the Parthians, the Medes, the Persians, and the Byzantines. The Caliph, on the other hand, was the constitutional head of a Commonwealth subject to the law, bound to act in consultation with his people. It must be admitted that the greatest of the Sultans did endeavour, and successfully, to maintain some harmony between absolutism and constitutionalism. They had no power to change the *Shari'at*, but they had authority under the *Shari'at* to issue from time to time rules and edicts to bring the institutions of the Empire into harmony with advancing progress. In later times most of those edicts were sterilised by foreign opposition. The immense volume of *Kanuns* (rules) and *Tanzimat* (regulations) bear testimony to the anxiety of the Ottoman rulers to keep pace with the times.

Nor were the Sultan in the period of their glory wanting in the virtues of simplicity. But untrammelled power in the hands of the best of men is apt to lead to incalculable evils. In Turkey, the reign of the late Sultan Abdul Hamid furnishes the best example of the curse of despotism. Under the pressure of General Ignatieff, the Czar'a ambassador, he closed down the first Turkish parliament which had so auspiciously begun the work of regeneration, sent its author to die in exile, and for over 30 years ruled Turkey as an irresponsible despot. Much as we may regret the disappearance of an institution and a title with which the most glorious period of Turkish history is intimately linked, it can hardly be disputed that the Sultanate and its absolutism were wholly in conflict with the growing spirit of freedom in the world ; and that

if new Turkey was to take her place among the comity of free nations on a basis of equal rights and equal duties, the Sultanate was bound to go.

Possibly the name might have been preserved by transforming the institution into a constitutional monarchy. But the risk of intrigues in the hands of an unscrupulous sovereign desirous of shaking off the constitutional checks would undeniably have been great. Also the facilities it would have afforded to foreign Powers to play him off against the State would have been dangerous to its safety. European history contains abundant warning against compromises of the kind. The reformers accordingly adopted a drastic remedy against the mischief inherent in the system. The ex-Sultan is more to be pitied than condemned. What he did was done with the 'Big Stick' held over his head. Although there is much to be said in his exculpation, his acts, coupled with his flight, will be taken as depriving him under the *Shari'at* of the right to the rulership of Islam.

The Caliphate seems to have been regarded by the later sovereigns of Turkey as a mere appanage to the Sultanate. In the world of Islam, on the other hand, the prestige of the Sultans rested on their religious headship. With the disappearance of the Sultanate, and the reversion to the rules and regulations which sanctify the installation of a constitutional head of the Islamic commonwealth, the Caliphate now regains its pre-eminence. The problem of the Sultanate was peculiarly a question for the Turks themselves to solve; the *Caliphate* concerns the entire Sunni world. As above explained, the right to the headship was assigned to the House of Osman; it cannot be taken away from that family without the assent of the *entirety* of the Sunni people. Primarily the right of election to the office rests with the Ottoman nation through its constituted representatives, and has to be confirmed by the sacramental oath of fealty. The direct or indirect assent and acceptance of the Sunnis outside the Turkish Empire perfects the title of the elected chief Prayers offered in Mosques invoking blessing on him are tantamount to *bai'at* with his hand in the hands of the person taking the oath. The election and installation of the new Caliph seem to have been strictly in accordance with the requirements of the law, and of the rules hallowed by centuries of

observance. Prayers, we understand, have been offered for him in the mosques throughout India and elsewhere. He has also, it appears, received the homage of the University of al-Hazhar [*sic*], which is held in high esteem all over north Africa and the East. The Pontiff of the Church of Rome was represented, we are told, at the installation by a special envoy; and it is curious to note that he was the only sovereign ruler who did this act of courtesy.

Judging from reports in the Press, the Turkish National Assembly appears to have invited representative delegations from all Sunni countries to discuss and decide on the question relating to the temporal powers of the new Caliph.

The Moslems of India are perfectly logical in their demand that the Caliphate of Constantinople should be left untouched by the Allied Powers; and that its temporal and spiritual authority should not be tempered with on any pretext whatsoever.[10] Had they taken up any other position they would have acted contrary to the *Shari'at*; and would have furnished to non-Moslem States a pretext for reducing the Caliphate to a shadowy religious institution without prestige or power. As the Caliph can under no circumstance be subordinate to a Christian State it would have placed Islam in conflict with the whole of Christendom.

The Turkish reformers seem to have begun well. With breadth of vision and appreciation of the growing needs of humanity, they have, by their 'Fraternal Treaty' with Persia, put an end to the feud between Iran and Turan which has lasted since the beginning of history. What is more, the treaty put an end to the deplorable schism which has for the last thirteen centuries divided Islam into two hostile sects. The abolition of the prohibition of marriage between Persians and Turks, and between Shiahs and Sunnis, is an achievement of which Mustapha Kemal Pasha and his colleagues may well be proud. To establish friendly relations with Afghanistan, Persia and the other neighbouring States reflects great credit on their statesmanship.

British policy towards the Moslem races has, within recent years, been an enigma. With the downfall of Czarism a unique oppor-

10. The *Radd-ul-Muhtar* distinctly lays down that the Kazi in pronouncing his decree should construe the law in accordance with the needs and exigencies of the time (*Maslahat-ul-Wakt*).

tunity was vouchsafed to England to obtain the cultural hegemony of the Moslem world. That opportunity has been deliberately thrown away. By fostering goodwill and the old trust she could have linked up with her all the followers of Islam from Egypt to China. Unfortunately, her policy took a different turn, which means the loss of a great asset to the Empire—the friendship of the millions among whom the name of England had stood high for justice and fairplay.

The opportunity lost by England has been seized by France, who now fills the role of England as the interpreter of Moslem sentiment. She has established, recently, a Musulman hospital and helped in the foundation of a great mosque in Paris. Marshal Lyautey presided at the opening ceremony and his speech on the occasion is well worthy of notice by statesmen and politicians who have the interests of the British Empire at heart. After combating the legend that Islam was a destructive, anarchical and intolerant force, and referring to the elements of social order to be found in all stages in Morocco, Algeria and Tunis, Marshal Lyautey continued:

'And now there appears in the East under Mustapha Kemal, who has revealed himself to be a true statesman, an effort at national restoration, construction and organization, towards which all our sympathies go out. France—liberal, orderly and laborious—and Islam—renewed and rejuvenated—appear to me to be two great and noble forces, whose union should be a preponderating factor in the peace of the world'.

The renaissance of Islam must come from within, and it is a matter for satisfaction that New Turkey has made this one of her ideals. The Osmanli has a virile character: he only requires sympathetic co-operation to do his share in the culture and civilisation of Asia. A nation which could survive constant attacks delivered at short intervals[11] during the last century and a half against its

11. Leaving out the wars of the 18th century, I would just mention those Turkey had to face in the 19th, viz. 1812, 1829, 1856, 1877, 1897, 1911, 1912. It is no use referring to the War of 1914 into which she was dragged by Germany, nor the three-years' war against the Greeks since 1919, which was solely due to the pro-Hellenic policy of Mr. Lloyd Goerge. An excellent sketch of the Ottomans of Anatolia, who form the backbone of the Turkish nation, appeared in the August number of the *Review of Reviews*.

national life and independence deserves sympathy and the support of all right-minded people. It has proved its right to live. The programme which Mustapha Kemal Pasha published to the world the other day inspires the hope that the statesmen of New Turkey realise the complexity of the task before them. They will have to devote themselves not merely to the economic restoration of their devastated country, but also to the organisation of the moral elements that go to constitute a great and civilised State : the development of education on national lines, with full regard to the necessities of the advancing tide of human progress[12]; the promotion of peace, concord and a feeling of security among all their subjects ; improvement in the administration of justice ; and above all an immediate arrangement, a concordat, safeguarding the privileges and prerogatives of the Caliph in accordance with the sentiments of the whole Moslem world.

The new Caliph is reported to be a man of culture and a scholar of attainments and intellectual gifts. He appears to be conversant with some at least of the European languages, and *au courant* with the politics of the world. This is a happy augury for the renaissance of Islam. It is to be hoped that, given the opportunity, he may, in co-operation with the representatives of the people, revive the memories of earlier days by his interest in promoting the public weal. Perhaps he may be able to pave the way for a better understanding between Islam and Christendom. Where humbler men have failed, the Caliph Abdul Medjid may attain success.[13]

12. Under Musulman law, sex is no disqualification for any office under the State. Abu Hanifa declared that a woman can hold the office of a judge. The appointment in Angora a little while ago of an accomplished lady as Minister of Education is an object lesson to Modern Europe.

13. According to the *Echo de l'Orient* he strongly opposed Turkey being dragged into the war of 1914, which made him most unpopular with the Germans and the men then in power in Constantinople.

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LETTER (WITH THE AGA KHAN) TO THE PRIME MINISTER OF TURKEY: 24 NOVEMBER 1923

[Letter to *The Times*, 14 December 1923]

I have now received the Aga Khan's authorisation to send you a copy of our letter to Ismet Pasha. As he is leaving immediately for India, he also desires that it should be accompanied with a communique denying emphatically and indignantly any wish on our part to interfere in the politics of Turkey, or to have any association with any of her parties or factions.

We recognise the signal services Ghazi Mustafa Kemal Pasha has rendered to his country. But the uncertainty which surrounds the position of the Caliph as the religious head of the Sunni populations was likely to cause the disintegration of Islam, and we thought we might bring the matter to the notice of the Turkish Assembly and urge that the Caliph's dignity might be placed on an assured position so as to maintain his prestige and command the confidence and esteem of the Sunni world. We had not the slightest desire to hamper in any way the established Government of Turkey. Such counsel, coming from two consistent friends of Turkey, who had proved their sympathy with Turkish aspirations during a long period of trial and struggle, should not have been misconstrued. Personally I greatly resent the imputation.

AMEER ALI

18 Sloane Street, S.W.1
December 13 [1923]

18 Sloane Street, S.W.1.
November 24, 1923

To His Excellency Ghazi Ismet Pasha
Prime Minister of Turkey

Your Excellency,

1. As consistent friends of new Turkey and in full sympathy with her aspirations as an independent member in the comity of the free nations of the world, we desire, with your permission, to invite the attention of the Grand National Assembly to the very disturbing effects the present uncertain position of the Caliph-Sultan is exercising among the vast populations who belong to the Sunni communion. We have noticed with the greatest regret that Islam, as a great moral and cohesive force, is losing among large sections of the Sunni population. owing to the dimunition in the Caliph's dignity and prestige, its weight and influence. For obvious reasons we do not wish to particularise the facts, but its absolute accurace cannot be gainsaid.

2. In the Sunni communion, we need not point out, the spiritual headship forms the link which binds the followers of Islam as a vast congregation. When the Caliphate was in peril from outside attacks, Mussulman feeling all over the world was violently agitated, and the Muslims of India gave their sympathy and support to the Turkish nation in the belief that in fighting for their independence they were fighting also for the preservation intact of the institution which symbolised Muslim solidarity. Throughout these critical times we strenuously pleaded for the Turkish cause. And a British Muslim organisation has, ever since the Turco-Italian war in Tripoli and Cyrenaica, devoted its energies in endeavouring to alleviate the untold suffering and distress among the Turkish people. Our observations and suggestions, therefore, we trust, will receive a courteous hearing from Your Excellency's Government regarding a question in which we, in common with all Muslims, take the deepest interest.

3. It must not be supposed for a moment from our remarks that we wish to suggest that the powers of the people's representatives should be in any degree curtailed. What we respectfully urge is that the religious headship of the Sunni world should be

maintained intact in accordance with the Shariyyet. In our opinion any dimunition in the prestige of the Caliph or the elimination of the Caliphate as a religious factor from the Turkish body politic would mean the disintegration of Islam and its practical disappearance as a moral force in the world—a contingency which, we are sure, neither the Grand National Assembly nor His Excellency the President Ghazi Mustafa Kemal Pasha can view with equanimity.

4. In our opinion the Caliph-Imam symbolises the unity of the Sunni communion: and the fact that he is a member of the founder of the Turkish nation gives to Turkey a position pre-eminent among Islamic nations.

5. For fourteen centuries it has been the cardinal principle of the *Ahl-i-Sunnat*, and on this, we believe, is the *Ijmaa-i-Ummat*, that the Caliph, the Vicegerent of the Prophet, is the Imam of the Sunni congregations, and that between him and the general body of worshippers there is a nexus which knits together the *Ahl-i-Sunnat*. This mystical element cannot be eradicated from the Muslim mind without creating discord in the world of Islam.

6. We need not remind Your Excellency that even when the Caliph-Imam lost his temporal power the great Kings and Chieftains sought and obtained from him investiture in order to validate their title to rule and to lead at prayers, the usual concomitant of secular authority. If Islam is to maintain its place in the world as a great moral force, the Caliph's position and dignity should not, in any event, be less than that of the Pontiff of the Church of Rome.

7. For these reasons, among others equally cogent, we, as the true friends of Turkey, respectfully urge upon the Grand National Assembly and its great and farsighted leaders the imminent necessity for maintaining the religious and moral solidarity of Islam by placing the Caliph-Imamate on a basis which would command the confidence and esteem of the Muslim nations, and thus impart to the Turkish State unique strength and dignity.

We are, your Excellency, your obedient servants,

AGA KHAN
AMEER ALI

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ON THE LETTER TO THE PRIME MINISTER OF TURKEY

[Letter to *The Times*, 17 December 1923]

Referring to two matters mentioned in your admirable editorial in *The Times* of this morning, will you permit me to say that our letter to Ismet Pasha was dispatched registered to Angora nearly a week before copies were sent to the Constantinople papers?

The same course was taken by the Secretary of the London Muslim League when he addressed a letter on the same subject to the then Minister of the Interior. No question appears to have been raised at that time that it was out of order.

AMEER ALI

December 15 [1923]

53

STATEMENT ON THE ABOLITION OF KHILAFAT[1]

[*The Times*, 5 March 1924]

It will prove a disaster both to Islam and to civilization. The suppression of the time-honoured institution which was, throughout the Moslem world, regarded as a symbol of Islamic unity will cause the disintegration of Islam as a moral force. It had knit together over 250 millions of the followers of the Faith belonging to the Sunni communion by one common ideal. It conduced to promote civilization and progress among unadvanced communities, which were united by a universal belief that through the Caliph-Imam they were in spiritual touch with their Prophet. I fear that the removal of this ideal will drive the unadvanced and semi-civilized peoples included in the vast Sunni following into the ranks of revolution and disorder.

It is open to grave doubt how far a national body has the power to abolish a spiritual office which has, under the religious laws of Islam and by the recognition of fourteen centuries, become an integral part of the religious institutions of the Sunni communion.

1. This statement was issued by Sayyid Ameer Ali as the news of the abolition of Khilafat reached him. For a detailed criticism of the Angora decision see next document.—*Editor*.

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A NOTE ON THE SO-CALLED "ABOLITION OF THE CALIPHATE"

(Ameer Ali Papers)

The arrogation by a Moslem State to "abolish" any of the fundamental institutions of Islam is a grave tragedy--the gravest within the last seven centuries. It means the disruption of Islamic unity and the disintegration of the Faith as a moral force. It also means that the particular State, in its desire to bring itself into line with the new republics of Europe, forfeits its primacy among Moslem nations and places itself on the same level as the Balkan states.

The Caliphate is not a national institution, the property of any single state, to be "absolished" at its free will. It is an integral part of the Sunni system. Any nation is free to abandon Islam, but no nation or state can arrogate to itself the power to alter or abolish its institutions so as to affect other Moslem communities.

What is the Caliphate? There has been a good deal of theorising in the Western world on the subject, but without adequate acquaintance with the religious laws of Islam. Every work of authority contains a dissertation on the religious Headship of the Moslem world. The Caliphate came into existence on the death of the great Lawgiver of Islam, though many writers trace its origin to the time when the Prophet, during a temporary absence from Medina, left a *Khalifa* (a deputy) to preside at the prayers—to act in fact as the Imam of the people. This the Vicegerent of the Prophet (the *Khalifa* or Caliph)—the "Commander of the Faithful"—the *Ameer-ul-Mominin* is, by virtue of his office, the chief Imam (*the Imam-ul-Kabir*), as he is styled in the *fatawa*, of the vast

Sunni congregations, now numbering over 250 millions. His presence, either actually or by proxy, is essential at the public prayers. The need for this is voiced by the Arab historians of the Caliphs when speaking of the events that followed on the sack of Bagdad. The Imam forms the spiritual link between the congregation and the Prophet. He presides, either in person or by proxy, at the congregational prayers on Fridays when the Imam and the Mamum are united in holy communion. He is the symbol of Islamic unity; if he were to disappear the Sunni congregation would fall to pieces. The Mohammedans of India, who have no axe of their own to grind, feel what a disaster it would be to Islam, and have strongly expressed their indignation at what has happened.

Temporal power is not essential to the exercise by the Imam of his spiritual leadership. He may delegate his temporal power to any individual Moslem, or a council, or Parliament, just as in a constitutional monarchy. Nor, as is sometimes imagined, is it necessary that he should be a *Koreishite*. The Prophet's recommendation, as has been pointed out by a great Moslem Jurist of the 14th century, was due to the circumstances that in his days the Koreish were the most cultivated of the Arab tribes.

In the Sunni system the Imamate is elective; in the Shiah system it is by "divine appointment" in the apostolical line. In the Sunni system, when the election is once made with the prescribed formalities, consecrated by centuries of observance, the oath of fealty is taken to the elected Imam, either personally or by proxy, and his name has been recited in the *Khutba* (the sermon) and benedictions invoked for him in the principal Mosques of Islam, his title is complete. He is the Imam of the Faithful and he cannot forfeit his dignity except by his own transgression of the religious laws. It is only then that a regularly constituted synod of the Divines and Ulemas [*sic*] of Islam can pronounce the forfeiture of his Trust.

The Caliph Abdul Medjid was duly elected to the office on the flight from Constantinople of the ex-Sultan Wahid-ud-din. The sacramental oath of fealty (the *bai'at*) was solemnly taken to him by deputies who were sent from Angora to attend his installation; the *Khutba* was read in his name in all the Mosques in India and elsewhere. It is difficult to see how this oath can be forsworn.

Anyhow, untill any breach of the religious law can be proved against him and he is deposed by the general concensus of the Sunni congregation, expressed by their Divines assembled in a formal synod, he is still the lawful Caliph. Under the Sunni law if the Imam voluntarily abandons his capital, or betakes himself for safety to an enemy country, he is regarded as having forfeited his Trust. This happened once before to an Abbaside Caliph, and again recently, but this rule does not apply to the Caliph Abdul Medjid, who has been expelled with circumstances of ignominy from the seat of the Caliphate. It, therefore, seems somewhat premature on the part of the King of Hedjaz to accept the invitation of his people alone to assume the high office and dignity of Caliph. Hedjaz is subject to him ; Transjordania is under the rule of one of his sons; and King Feisal—another son—is the ruler of Mesopotamia. Whilst the Caliph Abdul Medjid holds the office it seems to me no Sunni Caliph can be elected ; the *bai'at* alone of the Arabs of these countries can hardly create any title to the Imamate of the Sunni congregation.

The party in power at present in Turkey know best the interests of Turkey ; outsiders have no right to question their authority to take whatever action they like in the interests of their country. They may abolish religious teaching in their schools; they may alter the form of their people's religion, and may confiscate or secularise religious foundations, just as has been done in Russia. or was done in France in the 18th century ; but they cannot assume the power of altering the constitution of Islam, which is a world-religion, and not national, or can make any change likely to affect other Moslem nations.

Until now the Caliphate centred in Constantinople which was called among the Eastern Moslems "Islambol" the city of Islam. maintained Islamic unity and solidarity among the different Sunni nationalities. Not only nations such as the Indian, the Arab, the Afghan and the Egyptian, the Moslems of China and of the Malayan Peninsula, but also the Khirgiz of the Steppes, the Indian Frontier Tribes. the Moslems of the Malayan Archipelago and even the Tuaregs of Northern Africa and the Houssas looked to Islambol as the centre of their Faith. The so-called "abolition" of the Caliphate will, I fear. give rise to grave unrest among the

unadvanced communities and at the same time will create discord among all Moslem nations, and lead, as already observed, to the disintegration of Islam as a moral force united hitherto by one common ideal. The semi-civilised may eventually be drawn into the meshes of revolution and disorder.

Islam by its discipline and rules of conduct maintains social order and sobriety and consecrates family life and private ownership of property. For it to lose its force, especially among those communities, will have a disastrous effect on civilisation and progress.

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THE MODERNITY OF ISLAM

[*Islamic Culture*, January 1927, pp. 1-5]

In the wreck of religious beliefs and the general slackening of moral conventions, it is pathetic to observe the frantic efforts to salvage some part of it, and build up an eclectic faith. The student of comparative religion will look back on the success of the first Ptolemy in creating the Serapean cult which welded for a time the Greek and the Egyptian, and for centuries dominated the religious consciousness of the Mediterranean littoral.

Whilst Ptolemy Lagus succeeded, Akbar the Great failed. The grandson of the Lion-King also attempted to unite two alien worlds together by a common cult, but the teachings of the Koran and the creed of the Shastras could not be reconciled. And Akbar failed!

Are the efforts of the present-day thinkers to construct out of the wreckage of the old beliefs a system which might appeal to the modern world likely to succeed? I am afraid not; first, because it would be a mixture devoid of the elements essential to awaken the dying religious consciousness of the masses; and secondly, because it would be out of touch with modern conceptions.

One Faith alone holds out the promise that the world is not doomed to relapse into darkness or become enwrapt [*sic*] in gross materialism. It still holds aloft the lamp to the road which leads humanity to spiritual vitality. The present conditions, morally considered, are the same as prevailed when the Prophet of Islam made his appearance. Whilst the Platonists and their successors were struggling to solve the problem of the *Demiurgus* and the

Causa Causans, and the Manichean was making the Prophet of Nazareth a mere Phantasm of Light, there prevailed all around gross materialism combined with wild superstitions. The spiritual current set flowing by Jesus had spent itself, and the people were in quest of a faith that would revive spiritual life and the recognition of human responsibility to all living beings. Mohammed made no claim to a preternatural personality nor any demand that repelled Reason. He always proclaimed that he was only a man sent to preach and bring back the world to the recognition of Truth. And the history of his life has not been converted by his followers into a "faery tale," or his person transfigured into that of a Divine Being. His appeal was addressed both to the agnostic who abounded in his time as well as to the pagan who worshipped "other gods," the sun and the moon, the stars and idols of his own fashioning.

Many of his contemporaries, like many present-day thinkers, believed that creation was a mere accident, that there was no Design in the Universe. He asked the sceptic to look at the marvellous co-ordination which existed in the world and then say it was a mere accident; to think of his own body and mind and then consider whether there is not a Supreme Intelligence behind nature. The great Teacher perceived in the ordinary phenomena of nature an inter-connection which conclusively showed Design. Ever and anon he preached: "In the creation of the heaven and earth, and the alternation of night and day, and in the ship which saileth on the sea, laden with what is profitable to mankind; and in the rain-water which God sendeth from heaven, quickening again the dead earth, and the animals of all sorts which cover its surface, and in the change of winds, and the clouds balanced between heaven and earth, are signs to people of understanding!"

"He throweth the veil of night over the day, pursuing it quickly. He created the sun, moon and stars subject to laws at His behest. Is not all creation and empire His? Glorified be the Lord of the Worlds. Say, He alone is God; God the Eternal. He begetteth not, and He is not begotten; there is none like unto Him."

"By a soul, and Him who balanced it, and intimated to it its wickedness and its piety, blest now is he who hath kept it pure,

and undone is he who hath corrupted it. No defect canst thou see in the creation of the Lord of Mercy.'

In all his exhortations to bring back the wandering minds of his people to the recognition of a Supreme Intelligence directing the Universe, the Prophet of Islam never overlooked the duties of family life. He preached that children were entrusted to parents by, the Almighty to bring them up to be good and law-abiding citizens; to children he taught that they have a duty to their parents. He insists in his preachings that they should never forget the gratitude they owe to their parents and especially to their mothers for bringing them into the world and cherishing them in their infancy with tenderness and love.

The duties he inculcated are expressed simply in the following words: "Be kind to kindred and servants, orphans and the poor; speak righteously to men, offer thy thanksgiving to the Giver of all gifts, and be charitable. Defer humbly to your parents; with humility and tenderness say, 'O Lord, be merciful to them, even as they brought me up when I was helpless'! Abandon the old barbarities, blood-vengeance and child-murder, and be united as one flesh. Wouldst thou be taught the steep (path)? It is to ransom the captive, to feed the hungry, the kindred, the orphan, and him whose mouth is in the dust. Be of those who enjoin steadfastness and compassion on others. Forgiveness and kind speech are better than favours with annoyance. Judge between men with truth and follow not thy passions, lest they cause thee to err from the way of God. Covet not another's gifts from the Almighty. Touch not the goods of the orphan. Perform your covenant and walk not proudly on the earth, and to your wives show affection and tenderness."

Again and again he repeats: "Show kindness to your parents, whether one or both of them attain to old age with thee. Never reproach them; but speak to them both with respectful speech and tender affection. And to him who is of kin render his due, and also to the poor and to the wayfarer. Turn aside evil with that which is better."

And he repeats: "Say, O my servants who have transgressed to your own injury, despair not of God's mercy, for all sins doth God forgive. The good word riseth up to Him, and the righteous deed

will He exalt."

Then he proclaims: "Filthy actions are forbidden whether open or secret, and iniquity and unjust violence."

On future life he speaks thus: "God will not burden any soul beyond its power. It shall enjoy the good which it hath acquired, and shall bear the evil for the acquirement of which it laboured."

Do the preachings of this desert-born Prophet, addressing a larger world and a more advanced humanity, in the nobility of their love, in their strivings and yearnings for the true, the pure, and the holy, fall short of the warnings of any single Teacher who lived before him?

The poor and the orphan, the humble dweller of the earth "with his mouth in the dust," the unfortunate being bereft in early life of parental care, are ever the objects of his tenderest solicitude. Ever and again he announces that the path which leads to God is the helping of the orphan, the relieving of the poor and the ransoming of the captive. His pity and love were not confined to his fellow-beings; the brute creation shared with them his sympathy and tenderness. According to him the birds, and the animals, and even vegetable life were all on equal footing in the general scheme of the Universe.

He confined within reasonable limits, considering the social conditions of the times, the unrestrained polygamy practised not only among the Arabs but also among the neighbouring peoples. There wás then no means of livelihood for women; no stenography, no typing, no clerical work or employment in shops; no convents or nunneries to serve as refuges for the forlorn. Tribal wars and blood-vengeance, which the Prophet stopped, were decimating men. The pagan Arabs undesignedly maintained a certain equilbirium by burying alive their female children, a practice which was denounced and prohibited by the Prophet in burning terms. Marriage was the only means for women to obtain protection and sustenance. The Prophet gave a qualified permission to the plurality of wives; he subjected it to a condition which practically rendered its toleration in economically-developed communities a nullity.

The Koranic precept lays down: "Marry one, two, three or four wives, but if you cannot deal equitably among your wives, you

shall only marry one". Equity here includes not only maintenance and lodgment but also love and affection.

The condition, therefore, is regarded by the foremost thinkers in Islam as an abrogation of the permission for peoples who have outgrown the social or economic necessities that rendered a qualified practice of plurality of wives permissible. In Islam as the *Ashbah* says, "Marriage is a sacrament."

The economic condition of the world did not permit of the enfranchisement of bondsmen and bondswomen. Bondage in those days was necessary to prevent the general massacre that always followed on victory. He, therefore, put restraints on "bondage"; *only captives in "lawful" war could be held in bond.* But they should be treated with humanity; they should be clothed and fed as the captors, or masters or mistresses; he permitted them to ransom themselves whenever they could.

Whilst, in the Southern States of America, a child born in slavery would never escape being a slave, the Prophet of Islam enjoined that if a captive or bondswoman bore a child to her master, the child would be a free child and the mother would become enfranchised at once.

He proclaimed that constant striving was a necessary condition of man's existence and that unless human beings strove for progress, humanity would soon come to an end. He directed his followers to "Acquire knowledge because he who acquires it in the way of the Lord, performs an act of piety; who speaks of it, praises the Lord; who seeks it, adores God; who dispenses instruction in it, bestows alms; and who imparts it to its fitting objects, performs an act of devotion to God. Knowledge enables its possessor to distinguish what is forbidden from what is not; it lights the way to Heaven; it is our friend in the desert, our society in solitude, our companion when bereft of friends; it guides us to happiness; it sustains us in misery; it is our ornament in the company of friends; it serves as an armour against our enemies. With knowledge, the servant of God rises to the heights of goodness and to a noble position, associates with soverigns in this world, and attains to the perfection of happiness in the next."

His charity and sympathy were not confined to his own people. He invoked blessings on all humanity.

In an age when the world was steeped in superstition, he sternly condemned witchcraft, sorcery and soothsaying. But he did not direct that the wretched practitioners of the "black arts" or those who pandered to the foolish delusions of the ignorant, who then, as now, were in every country, should be burnt alive or drowned. In Christendom until recent times the fate that was meted out to the miserable beings suspected of having dealings with the Devil, was atrocious and revolting.

He used the folklore current among his people for parables to vitalise their moral consciousness but he never overlooked the demands of Reason. Asked where Satan lived, he replied : "In the heart of man."

His theory of the Cosmos embraced the conception of a plurality of worlds. He did not believe that the earth on which man lived was the sole centre of creation, and always spoke of the creator as the "Lord of the worlds". In his conception all creation was inter-linked. The doctrine of evolution which he preached has been beautifully expressed by one of his greatest followers. "Dying from the inorganic we developed into the vegetable kingdom. Dying from the vegetable we rose to the animal. And leaving the animal we became man. Then what fear that death will lower us? The next transition will make us angels. From angels we shall rise and become what no mind can conceive. We shall merge in infinity as in the beginning. Have we not been told, 'All of us will return unto him?' "

He inculcated strict justice between man and man. Long before Christendom had risen to the true significance of the word, when trial by battle and the ordeal of fire were common, regularly constituted courts determined disputes by proceedings which might compare favourably with the judicial institutions of many countries of modern Europe.

The legal enunciations of Musulman jurists, who would be regarded by the Western world of to-day as untrained or at best theoretical lawyers, would require but little adjustment to bring them into conformity with modern conditions.

The present stagnation of the Muslim world is due to the misreading of the Master's teachings. The followers of Islam have substituted the letter for the spirit, and are disputing among them-

selves about non-essential and neglecting the essential.

In the Prophet's system the dignity of labour was extolled ; they choose now to regard labour as an unworthy occupation. He preached thrift and the practice of charity, the relief of suffering and distress; they practise instead extravagance, shutting their ears to the cry of distress. He preached the seeking of knowledge "even unto China" ; they refuse to receive it even when brought to their door. The Faith is alive but its followers are unable to understand its meaning!

Islam needs only a revival of the Spirit which inspired the Prophet. Christendom is now yearning for reforms in its own churches. The cult of Isis which still lingers in Europe satisfies the longings of certain minds; but the best thinkers want a recognition of the Supreme Intelligence, of Design in Creation, or the existence of law and order in the Universe. These constitute exactly the doctrines which Islam proclaimed in the 7th century of the Christian Era—not in supersession of what Jesus taught but as a continuation of his efforts to revive spiritual life in the world, which leads to the observance of the rule that the service of man is the most acceptable worship to the Almighty.

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ISLAMIC CULTURE IN INDIA

[*Islamic Culture*, July 1927, pp. 331-57]

I believe it is impossible to have more than the haziest idea of the culture of any nation at any particular period of their history without knowing something of their past work, of the forces that have helped their progress and of those that have retarded their development.

The history of Islamic Culture in India is spread over a period of ten centuries. When we speak of Islamic Culture in India we must not forget that it became by force of circumstances superimposed upon another Culture that had existed in the country for thousands of years. Behind the veil which in ancient times hid India from the outside world she had evolved her own extraordinary civilisation. We have no history; we have legends, fictions, religious songs, some works on astronomy and dissertations on philosophy. We have also a remarkable system of jurisprudence which received its development in Mahommedan times. This, however, hardly makes up for the lack of real history which records from day to day and year to year a people's inner life.

Nothing marks so vividly the divergence between the mental attitude of the Hindu and Mahommedan nations or the diversity of their different cultures as the contemptous disregard in pre-Mahommedan India for historical records. As I have already observed, most other kinds of knowledge were cultivated by the Hindus excepting keeping a note of the events that concern national existence; and we cannot help feeling regret that until the veil was forcibly lifted by outsiders the Indian world was

involved in a mist through which it is impossible to peer and form a coherent idea of the occurrences of at least thirty centuries.

When we come to the Mahommedan period we find historical records teeming with information regarding the vast area over which Islam had spread. Respecting India alone we have so many works that it taxes the strength of the most industrious student of the present day to make even a satisfactory list of them. From the days of Mahmud of Ghazni until our own times works on history have been unceasing. Baihaki speaks from personal knowledge of Mahmud and his successor Mas'ud; Minhajus Siraj writes similarly of Rizia Begum and her brothers who succeeded her on the throne of Delhi; Shams-i-Siraj Afif is a chronicler of events that passed under his own eyes. The Pathan king Firoze has left a record of his own work, so simple and ingenuous that it makes a deeper impression on the mind regarding the virtues of the author than any contemporaneous record. Tamerlane's Institutes read like the edicts of the great Assyrian king, Hamarabi. Baber's Memoirs are replete with the most interesting events of his own life, and his translator speaks of his merits as a writer, a sovereign and a friend in terms of the highest praise. His successors have left personal records of their own lives.

Now about the close of the tenth century of the Christian era, when the Musulmans first set foot in Northern India, an Arab Philosopher was studying in the midst of the Hindus the science and philosophy of the Brahmins. Mamun the greatest and most cultivated of the Abbaside Caliphs had gathered in his court at Bagdad a number of learned Brahmins who were employed in translating into Arabic Hindu treaties on astronomy and mathematics; but Abu Raihan al-Beiruni was the first foreigner who studied Hindu religion, philosophy and jurisprudence in the midst of Brahmins and in their own homes. His work on India forms a remarkable product of the synthetic and eclectic genius of the Arabs. Al-Beiruni's *Indika* has been translated into English by a distinguished scholar to whose knowledge and industry it is necessary to accord the due meed of praise they deserve.

Al-Beiruni speaks in sympathetic terms of the religion and philosophy of the Brahmins; he attributes the evolution of the

caste-system in India to colour differences and deplores the damage that was done to Hindu civilisation by the invasions of Mahmud of Ghazni.

The scope and variety of Indo-Islamic Culture can hardly be realised without some knowledge of Saracenic culture—of the culture Islam attained in the West. The jurisprudence of a nation is usually considered to form the best index to a nation's development. The administrative machinery, the cultivation of arts and literature, the position of women in the social economy of the people constitute perhaps a far more valuable test of national growth.

Western Asia under the Saracens, like Spain under the Moors, enjoyed a system of administration which in its effective distribution of work and control of details ranks with the best in the modern world and in fact forms the model for most of the advanced European countries.

Under the Abbasides the following were the principal departments of State :—the Central Office of Taxes, the Accounts Office, the War Office, the Post Office, the Board of Correspondence, the Board of Requests, the Board of the Inspection of Grievances, the Board of Government Grants, the Board of Agriculture, besides several minor departments. The heads of all these boards formed the Council for the Supreme Diwan of the Empire under the Presidency of the Prime Minister or Grand Vizier. The military administration was in charge of a Board called the Diwan-ul-Arz, a name which frequently occurs in the history of Musulman India. Each city had its own special police; and the corporation of merchants composed of representatives selected from their body and presided over by one of their own members formed a responsible syndicate, supervised commercial transactions and repressed frauds.

Most cities of importance had their Town Councils composed of the notables of the place and sometimes of nominees of the Government or Sovereign, and presided over by an elected chairman or *Sadr*.

The Administration of Justice was a subject of extreme importance. All questions relating to civil rights among non-Moslems were left to the decision of their own communal heads or judges.

Each city had its own Kazi; and in large towns there were several deputy Kazis. The Chief Kazi of Bagdad was called the *Kazi-ul-Kuzzat* and was the chief judiciary of the Empire. In order to assist the Kazis in the administration of justice, another class of officers was established who were called *adls*.

Criminal justice was apparently in the hands of magistrates called *Sahib ul-Mazalim*. But the highest tribunal was "the Board for the Inspection of Grievances" presided over by the Sovereign himself, or in his absence by one of his chief officers. The other members of this Board were the Chief Kazi, the Hajib or Grand Chamberlain, the principal Secretaries of State, and some of the Muftis or jurisconsults especially invited to attend. The establishment of this Court was rendered necessary by the difficulty of executing the decrees of the Kazi when the defendant was of high rank or employed in the service of Government. None dared disobey a citation before this Court and none were powerful enough to escape its severity.

The peasantry were an object of great solicitude to the Abbaside sovereigns, and every effort was made to lighten their burdens. Mansur the second Abbaside Caliph, though considered parsimonious, abolished the payment of the wheat and oat tax in money. and introduced the system of paying the taxes in kind according to a certain percentage of the crop. Upon the less important cultivations and for date-palms and fruit-trees, the old system of levying the tax in money was continued. As this led to extortion on the part of the revenue collectors, his son and successor Mahdi extended the application of the rule introduced by his father, and directed that in every case the tax should be levied in proportion to the actual outturn. If the lands were peculiarly fertile and required no labour, the cultivator gave to the government half the crops; if the watering of the ground was difficult and expensive, one-third; where it was still harder only one-fourth and sometimes even one-fifth. In taxing vineyards, date-groves, orchards, and such like, the crops were valued in money and the rates calculated at half or one-third the sum. These rules reappear in Akbar's administrative reforms.

In Spain the administration was conducted on similar lines. Whilst the Sultan was the supreme head of government the prac-

tical work of government was conducted by ministers who, as in the East, bore the title of vizier. Each department of State was in the charge of a separate minister. There seem to have been four principal offices, viz. finance. foreign affairs, the administration of justice or "redress of grievances" and the management, pay and supervision of the army. The title of vizier was also conferred on the Privy Councillors. The President of the Council, called in Asia Grand Vizier, was the Hajib or Chamberlain, a title which occurs also in India. He held direct communication with the sovereign, received the royal mandates, and acted generally as the chief of the ministers. They all sat in one hall, but the seat of the President was more elevated than those of the others. The Privy Councillors, like ministers, had the privilege of sitting with the Caliph in the Council chamber. There were several Secretaries of State among whom the chief of the Correspondence Office occupied the most prominent position. The security and protection of non-Moslems were in the hands of a special officer, whilst the Finance Minister had the supervision of the public accounts. In Spain the position of Kazi was one of great dignity and the Chief Kazi was often designated the "Kazi of the People". I mention these two systems of administration which were in existence in Western Asia and Spain in order to explain the conditions in India under the Musulman domination.

The Arab women in their own homes went free of the trammels under which they labour in most oriental countries. The daughter of Mohammed lectured in public and delivered sermons. The cousins of Mansur, princesses by birth, went to war clad in mail to inspire the soldiers by their presence and to tend the wounded. The great grand-daughter of the Prophet, Sakina, had her own salon. Persons speaks of her as the most beautiful, the most learned and the most virtuous woman of her times; Sheikha Shuhda lectured in the Cathedral Mosque of Bagdad on rhetoric and literature. That was the condition of culture among the western Musulmans for several centuries. In ancient Athens and in Byzantium, women lived in seclusion and we know that in Russia until the time of Peter I from whom St. Petersburg or Petrograd, as it is called now, derives its name, women were more closely confined than is the case even perhaps in Corea. In Persia

the story of Esther and Ahasuerus tells us how women were kept in seclusion. We hear much about the freedom of women in ancient India but the fate of Draupadi tells us a different tale. We read in the Mahabharata how she formed the stake at a gambling match, how she was lost by her husband at the last throw of the dice and how she was dragged by the hair from her inner apartments. And Manu's rules as to their confinements seem to show that the lot of women in the olden times was not so happy as we fondly imagine.

Although contact with these various races had its natural effect and the chivalry of the desert gradually declined, the high consideration the Arab maiden and wife enjoyed was not altogether lost and the Musulman women continued to exercise an influence on the development and the social economy of the country of which we have little conception.

Women occupied a high position both among the Spanish Arabs until to use Lecky's words "the cross supplanted the crescent on the towers of Granada". They lectured, they cultivated literature and arts. In Andalusia they were at the tournaments when the knight entered the lists wearing some token of his lady-love on his shoulder and helmet. The Saracen lady was an undisguised spectator at the frequent jousts and tournaments which enlivened Cordova and Granada and her presence at the public festivals lent a charm and fascination to the scenes. The dignified association of the sexes gave rise to a delicacy of sentiment and refinement of manners, of which we have little idea in the present day; nor of its influence in moulding the European conception. The polished courtesy and exalted sentiment of honour which distinguished the Arab cavaliers to the very end of their empire in Spain, in Prescott's language, "might have graced a Bayard or a Sidney".

Among the Pathan and Turki Kings in India the principal Queen received the title of Malkhai-Jehan [*sic*] "Queen of world" with regal honours. The Queen-mother was freqwntly styled the *Makhduma-i-Jehan* the "Mistress of the World." Rizia Sultan Begum the daughter of Sultan Altamsh [*sic*] was the first Empress of Musulman India in her own right and unfortunately the last. Her father had specially chosen her to succeed to the throne in supersession of her incompetent brothers. Minhaj-us-Siraj, who held a

high office under this accomplished Queen speaks of her as "a great monarch, wise, just and generous, a benefactor of her kingdom, a dispenser of justice, the protector of her subjects and the leader of her armies". She ruled the kingdom for some years with tact and wisdom; but they were troublous times and required a man to deal with the forces of disorder. Sultan Rizia Begum was killed in the year 1240. A grand mausoleum was built over her grave which became a shrine; and Ibn Batuta, the Moorish traveller, found it a century and a half later as an object of pilgrimage to both Hindus and Mohammedans. We hear in her time of a Chief Justice, of a *Mushri* or inspector general of the State, of Kazis in every town, of a Chief Kazi, of the Vizier's Assistant who bore the title of Sadr-ul-Mulk. The mother of Akbar, Hamida Banu, was virtually canonised after her death. She is known in later history as *Mariam-Makani*. The Consort of Akbar, Salima Sultan Begum, who was a scholar and a poëtess of no mean order, received the title of *Khadija-uz-Zamani* "The Khadija of the age."[1] She was held in the highest respect by the people as well as the royal family. Jehangir was not her son, but her influence over him was so great that whenever he proved refractory Akbar deputed his noble consort to bring him to reason. Salima Sultan Begum wrote poetry under the *nom-de-plume* of Makhfi, the *nom-de-plume* also of Aurangzeb's daughter, the accomplished and unhappy Zebunnissa.

In later times in the Kingdom of Oude the princesses and ladies of rank enjoyed remarkable consideration and respect and often exercised no ordinary influence. The titles usually bestowed on them on their marriage form some index of their position in the home of their husbands. *Malkai-do-Alam Nawab Tajdar Bahu* "Queen of the World crown-bearing bride," *Malkai Afakara Jahan Nawab Arjumand Bahu* "World adorning Queen fortunate bride"—words which sound to Europeans either grotesque or Oriental hyperbole. But they appealed to the heart of the people and furnished them with an ideal. The Musulman bride, certainly in Northern India among the upper classes, occupied and still occupies a very

1. Mary the mother of Jesus, Khadija the wife and Fatima the daughter of the Prophet are the three great examples of womanhood in Islam. The mother of Akbar is therefore called "the Lady whose place is with Mariam".

high position.

Although the Arabs were settled in Sindh from the middle of the eighth century of the Christian era we have but little record of their worth. The rule of the Ghaznavides at first in their own mountain home and afterwards at Lahore gave birth to Indo-Islamic Culture the character of which it is difficult to understand from the meagre records we possess of this particular period before the Musulmans had seated themselves in the heart of India.

We now come to the history of Indo-Islamic culture in the true sense. The subject may be conveniently divided into three periods: (1) the Pathan, (2) the Mogul and (3) the later period since the downfall of the Mogul empire. We have a fair record of the state of civilisation and of the condition of the Arts and Literature under Mahmud and his immediate successors in the writings of Al-Beiruni, Utbi, Baihaki and other contemporary chroniclers. Mahmud with all his faults was lavish in his patronage of learning; scholars, poets and artists flocked to his court and found in him a generous patron.

His parsimony towards the author of the *Shahnama* brought on him a satire which is an undying record of a poet's revenge. Mahmud embellished Ghazni and most of the principal cities of his great empire with exquisite monuments of Saracenic architecture. But his name has been made famous by the work of his Vizier, Khwaja Ahmed Hassan Maimendi, who introduced into the Ghaznavide Conqueror's possessions the revenue system which had been so beneficent in Persia and Western Asia that the great traveller Nasir-i-Khusru in his travels described Mesopotamia and the Western Province of Persia as a veritable garden. Hassan Maimendi was in fact the prototype of the revenue ministers of later times. Even under the Musulman sovereigns of the Pathan dynasties when the throne was often the prize of the strong and unscrupulous mind, the revenue system on which the prosperity of the county was founded was never upset and whenever fresh improvements were made or the system was desired to be re-cast the model of Ahmed Hassan Maimendi was invariably adopted. Towards the end of Mahmud's reign Hassan fell into disfavour and remained in disgrace until the death of that hasty-tempered monarch. Mahmud's son and successor Masud to whom Al-Beiruni dedicated his work

the *Kanum-i-Masudi* [*sic*] was a ruler of a different type less overbearing, less hasty and probably less proud than his father. He was more generous and more amenable to the advice and guidance of experienced servants. We possess some graphic accounts of his court and life; and obtain from them some insight into the inner life of the people. Mas'ud recalled Ahmed Hassan Maimendi from his retirement and persuaded him again to assume the office of the Vizarat. In this king's time there seems to have existed in Ghazni a learned society of which apparently Mas'ud himself was president and to which belonged all the learned men in his capital. Al-Beiruni appears to have been a member of this society and often took part in its discussions.

The investiture of Maimendi a second time as Vizier of the Empire is extremely interesting. It would appear that the Viziers made their own conditions regarding the terms on which they would hold office; a document was drawn up embodying these conditions to which the king attached his signature with an oath at the bottom that he would observe faithfully his promise; on the receipt of this paper the Vizier would attach his signature conveying his acceptance with an oath that he would faithfully discharge the duties imposed on him. In the case of Maimendi the rule connected with this is set out at length in a history written by a contemporary of Mas'ud which is of extreme interest.

"The rule has been," says Baihaki, "that when the post of Vizier is conferred on a person of distinction he writes his terms and enquiries about the responsibilities of his position. The Sovereign then writes with his own hand an answer and attests it with his seal. After this, God is called to witness it. The Vizier then examines it, and it becomes a solemn compact with stringent provisions, which the minister must repeat with his tongue and attest with his signature, adding thereto witnesses to his promise of acting in conformity therewith."

The investiture of the Vizier with the robe of office is fully described by the historian who was an eye-witness of the function. He writes as follows:

"The following day which was Sunday, the 9th of the month of Safar, the Khwaja entered the court. The great men and the elders,

the generals and the other military officers, all waited upon him and observed the ceremonials of respect. The Ameer (the King) turned his face towards the Khwaja, and said, 'You must now put on the robe of office, because we have many important things to attend to.' He then said, 'Let it be known that the Khwaja is my representative (Khalifa) in all matters requiring consideration. His orders and directions must be executed and observed in all things. Whatever he deems proper, no one must oppose.' The Ameer made a sign to the Chamberlain who was chief of the guards, to take the Khwaja to the state-wardrobe. He came forward and took the Khwaja by the arm. The Khwaja stood up and went to the place. where he was invested with his official robes. I stood up and saw what passed. What I say is from ocular observation and according to the list I possess. There was a garment of scarlet cloth of Baghdad, embroidered, with small flowers; a long turban of the finest Muslin, with a delicate lace border; a large chain, and girdle of one thousand miskals studded with turquoises. When he returned to the throne room the other guards came to receive him. The Ameer offered his congratulations to the Khwaja, who approached the throne and presented a bunch of pearls to the king whilst the Ameer gave to the Khwaja a ring set with a turquoise on which his majesty's name was engraved and said, 'This is the seal of state and I give it to you that people may know that the Khwaja's authority is next to mine.' The Khwaja took the ring, kissed the Ameer's hand and returned to his house."

In Mas'ud's time we hear of a Vizier's office at which the ministers attended every day excepting Fridays. The successors of Mas'ud although unable to maintain the glory of their house, did not fail to support learning and even with their dominations confined to the province of Ghazni and Lahore showed themselves in many cases lavish patrons of scholars and savants. One of them Sultan Ibrahim who died in 1098 after a reign of nearly 42 years was not only himself a distinguished poet and philosopher but a friend and protector of learned men who flocked to his court from every part of Central Asia. The great mystic poet Sanai lived in his time and was often a visitor at the Sultan's court. He died in the reign of Bihram, Ibrahim's successor.

The permanent conquest of India was undertaken by the Afghan sovereigns of Ghor. The Ghaznavide dynasty had been ousted from the Punjab aad about the time when Henry of Anjou was King in England Shahabuddin Mohammed ruled in Afghanistan.

After a severe defeat he suffered from the Rajput King of Ajmere. Shahabuddin in 1191 A.C. absolutely crushed the Hindus on the field of Panipat and established Moslem sovereignty in northern India. This was exactly synchronous with the time the Anjevin was moulding Norman England into a homogeneous country under the Plantagenet rule.

William the Conqueror introduced into England after the battle of Hastings a cruel system of government. He established the Forest Areas and Forest Laws for the prevention of killing the wild beasts that roamed in the depopulated tracts. Anyone killing a wild boar, wolf or any other animal had his hands amputated ; and his successor made the offence capital.

The Saxon freemen were reduced to serfdom; these serfs gradually rose to be villeins. In the days of the Plantagenets the villeins were sold along with the manors of the knights and barons. Their daughters could not be married without the sanction of the lord. This harsh and barbaric custom appears to have existed throughout the Tudor times.

In India on the other hand the conquered people retained all their rights, privileges and customs intact. The village communities were not interfered with and their laws relating to the payment of revenue remained untouched. They paid no more than the customary rent (*ma'mul*)

Part of the country was parcelled among the chiefs who served under the sovereign, but they received only from the people what was due to the sovereign. The alienation only affected the kings' rights. Hindu law was not interfered with: as a matter of fact the *Mitakshara*, the learned work of Vijnaneswara was written in the twelfth century under the patronage of a Mohammedan sovereign. And the learned commentary by Balambhata was compiled a century and a half after Vijnaneswara when a Mohammedan sovereign ruled over Northern India.

The language of the conquered was different from that of the conquerors; but apparently Persian was cultivated in the Hindu courts, as the ambassador of Shahabuddin carried on a conversation with the Rajput King with whom he discussed the terms of peace. Sanscrit undoubtedly was the sacred language of the Hindus, but about this time a *lingua franca* was springing up and

formed the bond between the native population and the foreign element.

Hindu customs were so little interfered with by the Mohammedans that even the deplorable practice of *suttism* was not stopped by the Pathan kings. It was only in the days of Akbar the Great that a serious attempt was made to prevent the immolation of widows on the occasion of their husbands' cremation.

When the Musulman power seated itself in Delhi a new culture arose in India which has left its mark on every institution existing nowadays in the country. It is usual for English writers to suppose that the Pathan rule was one long period of agony in which the people suffered and the rulers killed each other for power. There is no doubt that the history of the period, like that of Europe, is stained with bloodshed in the pursuit of ambition or desire for gain, whilst many of the kings were rude soldiers, half-educated, reckless of the peoples' welfare, there were others whose names stand forth prominently as fathers to their people, wise administrators, patrons of learning and promoters of industry and culture. One of the first of these wise kings was Sultan Shamsuddin Altamsh who ascended the throne about 1210 of the Christian era. The Mongol avalanche had overwhelmed the Islamic nations in Central Asia and made a clean sweep of their culture. The learned and religious men who escaped the Mongol swords took refuge in the Court of Altamsh where they were received as welcome guests. Amir Khusru has left a description of the Mongols, among whom he was a prisoner for two years. His account of these barbarians is interesting. Twelve years later Minhaj-us-Siraj joined the court of Altamsh and from that day forth the chronicles of Delhi were noted from day to day by an observant man of learning whose record was keen and discriminate. He tells us not merely of the conquests of the king but also of how the work was done, of the appointments of the chief justice, of the commander-in-chief, of the chancellor of the exchequer and various other officers for the management of the State. The author speaks of his own appointment as law officer entrusted with the supervision of all religious, moral and judicial affairs; how he was ordered to read the Khutba and the prayers at the 'Id-ul-Uzha "the feast of the sacrifice". The College and Cathedral Mosque built by

Altamsh were in existence for several centuries and were renovated from time to time. The famous reservoir, Hauz-i-Shamsi which was a special feature of Delhi, existed even in the time of Akbar. I have already spoken of his daughter Rizia Begum who succeeded Altamsh on the throne after a short reign of a brother who was killed by the populace for his cruelties. On her death two unworthy sons rapidly followed each other. The third Nasir-ud-din proved himself a wise and moderate ruler. Minhaj-us-Siraj completed his history in Nasir-ud-din's reign; his chronicles are, therefore, called after this king's name, *Tabakat Nasiri.*

In this reign we heat more about internal affairs and the progress of the country than even in former times. The nobles of the state bore the title of Malik. The Queen Mother bore the title of *Malika-i-Jahan Jalal-ud-dunya wa'd-din* "Glory of the world and the religion." When any of the nobles was raised to a higher station he received the title of Khan. The commander-in-chief bore the designation of Ariz and the chief ecclesiastic was called the Sheikh-ul-Islam. The Lord Chamberlain was the Hajib, whilst the War office was called *Diwan-i-Ariz-ul-Mamalik*. The title, Nawab, does not seem to have been in use in these days but in the year 1259 we hear of the deputy of the king under this title Malik-an-Nawwab Aibak.

In Nasir-ud-din's reign flourished two accomplished scholars and able administrators of whom Badauni speaks in the highest terms. Of Shams-ud-deen whose literary designation appears to have been Dabir, he says his learning and accomplishments are beyond description and praise; and Ameer Khusru has extolled his merits in his poem called the *Haft Bihisht*. The other was Ameer (Syed) Fakhr-ud-deen *Umaid Nounaki* surnamed "master of scholastic philosophy," *Ibn-ul-Kalam*, who was the chancellor of the exchequer, *Mustaufi-ul-Mamalik*.

The three names which stand forth best in later times are those of Bulban, Toghlak and Feroze and form the chief landmarks in the development of Musulman India during the period when the Pathans dominated in Hindustan.

Zia-ud-din Barni describes the state of the country under Bulban who had ascended the throne in 1265. His account is, by far, the most lucid and is written without exaggeration. The

weakness of the sovereigns who succeeded Rizia Begum had thrown the country into great disorder; predatory bands issued from the jungles and forests which covered the country in those days and harried the land. Bulban addressed himself to the restoration of peace and order with unprecedented energy combined with a severity which amounted at times to cruelty but which was demanded by the conditions of the times and the people. The administration of justice was confided to experienced officers and Zia-ud-din Barni says that "in meting out justice Bulban was inflexible, showed no favour to his brothers, to his associates or attendants, and if any of them committed an act of injustice he never failed to give redress and comfort to the injured person." The chronicler adds:

> "During the whole time that he was Khan and Sultan extending over nearly forty years, he never conversed with persons of low origin or occupation, and never indulged in any familiarity, either with friends or strangers, by which the dignity of the Sovereign could be lowered. He never joked with any one nor did he allow any one to joke in his presence; he never laughed aloud, nor did he permit any one in his court to laugh."

In order to make the administration of justice more efficient he employed an agency which, though not unknown in modern times, always causes enormous mischief. He stationed reporters called *Barids* at every town and city to send him confidential information regarding the conduct of affairs. These "reporters" degenerated into spies and often made their office a means of extortion; but whenever Bulban found this to be the case he visited the offence with extreme and cruel severity. India owes a debt to him because in his time most of the jungles in Northern Hindustan were cleared, robbers who infested the forests were rooted out and the country was delivered from their terrible depredations. In other directions he made roads to enable merchants and troops to traverse the country in safety and placed guard-houses at regular distances. Zia-ud-din Barni says, "Sixty years have passed since these events but the roads have ever since been free." Bulban's eldest son Mohammed Fathe Khan whom he had designated as his heir was a brave and expert soldier and an accomplished scholar whose virtues are extolled by every

writer of that age. The historian's description of the young Prince gives an interesting picture of the times.

"The Darbar of the young Prince was frequented by the most learned, excellent and accomplished men of the time. His attendants were accustomed to read to him the Shah-nama the poetical works of Sanai, Khakani and Shaik Nizami and learned men discussed the merits of these poets in his presence. Amir Khusru and Amir Hassan who were in his service and attended upon him for five years at Multan receiving from him allowances and grants of land. The Prince esteemed their merits and delighted to honour them."

Zia-ud-din Barni says he often heard from Amir Khusru and Amir Hassan that they had very rarely seen a prince so excellent and virtuous as the "Martyr Prince," the title by which he came to be known after his death.

This promising young prince, who would have given new life to India, fell in a battle with the Mongols and according to all accounts the whole country sorrowed with the old King for his irreparable loss. We are told that Fathe Khan was in frequent communication with the famous author of the Gulistan, Sheikh Sa'di of Shiraz, who flourished in his time, and invited him several times to visit his court at Multan but the Persian poet, owing to the feebleness of old age, was unable to accept the invitation.

Amir Khusru, the poet whom Zia Barni mentions as one of his informants regarding the character and virtues of Bulban's eldest son, was born in 1253 of the Christian era. Amir Khusru was his title, his full name being Mohammed Hassan Yemin-ud-din. He was a precocious and prolific writer. At the age of seventeen we find him attached to the Court of Bulban's son, Fathe Khan. He lived to see the rise and fall of two dynasties, for he died at the age of 72 in the year 1325, after the accession to power of Ghyas-ud-din Toghlak.

Amir Khusru is justly regarded as the greatest of the early Musulman poets of India. He, like his contemporaries and successors until quite recent times, wrote in Persian. His language is mostly simple, free from exaggeration or turgidity; and the beauty of his poetry obtained for him the title of ***Tuti-i-Hind.***

"The Indian Songster," parrots being trained to sing in those days. To this title of Amir Khusru there is a charming allusion in the Ode of the poet Hafiz which he sent declining the invitation of the Musulman King of Bengal, Sultan Ghyas-ud-din, to visit his court. In one of his most beautiful poems named the 'Ashika or L'Inamorata, Amir Khusru has immortalised the loves of two charming personalities in early Musulman history--Khizr Khan and Dewal Devi. Khizr Khan was the son of the tyrant 'Ala-ud-din Khilji who had seized the throne after murdering a too-trustful uncle. The historian describes Khizr Khan as a noble-minded youth utterly different in character to his father who was cold-blooded and calculating in his cruelties. Dewal Devi was a Hindu princess, the daughter of the Rani of Gujarat. This lady became the wife of 'Ala-ud-din after her capture of the defeat of the Raja, her husband. The two lovers' devotion appears to have been the theme of the age and moved even the heart of the tyrant who sat on the throne of Delhi. Khizr Khan and Dewal Devi were married when he was twenty years of age and she barely sixteen; and they both died together with her arms clasped round his neck when he was hacked to death.

Although the Indian nation was still in the womb of futurity, Amir Khusru was a truly national poet. He seems to have loved the country of his birth, and his works, for he was a prolific writer, abound in praise of Hindustan. "Call it a black country." he exclaims in wrath to her Western detractors; "She is as beautiful as a bride, rich in her products, and vast as a continent." Delhi in his time must have been a grand city with its three large forts and thirteen gates, the magnificent reservoir built by Altamsh, its cathedral Mosque, its huge Minaret and above all its learned doctors, its poets, singers and its maliks, khans and princes. The use of betel-leaf so common in India especially among women, a habit abhorred by Baber, appears to have been adopted by the Musulmans not long after the conquest, for it was undoubtedly in vogue in the time of Amir Khusru. A piece of betel-leaf, one aromatic kind, is especially reserved for rich families,—is folded up with a piece of arecanut and one or two aromatic ingredients inside and made into neat small cachets which can easily be put into the mouth. Often these little cachets are covered over with silver

or gold leaf and are handed round on festive occasions to the guests. They are tokens of amity, friendship and hospitality but have been known to be used also for purposes of removing by quieter means enemies or inconvenient rivals, just as other means were empolyed in Europe. A story is told of Feroze, whose name I have mentioned already, which throws into relief not only the use of the betel-leaf but also the part ladies played in mediaeval India. It was the practice of this good king to call on the sister of his predecessor every Friday after the service in the Cathedral Mosque when he received the cachet from the Princess' own hands. But this lady was anxious to get rid of Feroze in order to place her son on the throne. One day the cachet with the poison inside was ready, when the unsuspecting king came into the inner apartments, kissed the Princess' hands and sat down opposite to her. The youth for whom the murder was designed, was standing behind his mother, and he made a quick sign to Feroze to depart at once. The king took the hint, left the clever lady's room with a hurried excuse, and gained safety outside. An enquiry was made and the whole conspiracy was revealed. Feroze exiled the Princess and her husband to another city and raised the young prince to a high position in his court.

This, however, is a mere digression from the main theme.

Nowadays every lady of means or position has a box called pandan made of gold or silver for keeping her betel-leaf cachets —the poorer classes have copper ones—and the pin-money which a Musulman lady almost always receives after marriage is called *Kharch-i-pandan* or the allowance for the pandan, an euphemism for private allowance.

Amir Khusru was born at Paithan on the Ganges and lies buried at Delhi, which he loved, at the feet of his spiritual instructor, the noted Saint. Nizamuddin Aulia. whose tomb still attracts not merely Moslem pilgrims.

The rich composite language called Urdu must have been in the process of formation ever since the different races of middle and Western Asia began to settle in India. In Amir Khusru's time it was still archaic in character and few of the Musulman writers used it either in correspondence or for literary purposes. It was, as its Turki name implies, the language of the camp, a *lingua*

franca for communicating with the people of the country, and was the language of the women-folk who were introduced into the household from the indigenous stocks. Amir Khusru's little poem called the "*Khalikbari Surjanhar*" was evidently intended to show the fundamental identity of all religions. From him we learn of the principal languages then in use in India, all of which more or less are still in vogue. The Prakrit which in later times became corrupted into Hindi is probably what he calls Hindawi. The poet thus describes these various tongues:

"As I was born in Hind I may be allowed to say a word respecting its languages. There is at this time in every province a language peculiar to itself and not borrowed from any other—Sindi, Lahori, Kashmiri, the language of Dugar, Dhur Samundar, Tilang, Gujarat, Ma'bar, Gaur, Bengal, Oudh. Delhi and its environs. These are all languages of Hind, which from ancient times have been applied in every way to the common purposes of life.

But there is another language more select than the other, which all the Brahmans use. Its name from of old is Sanskrit, and the common people know nothing of it. A Brahman knows it, but Brahmani women do not understand a word of it. It bears a resemblance to Arabic in some respects in its permutations of letters, its grammar, its conjugations and polish. They have four books in that language which they are constantly in the habit of repeating. Their name is Bed. They contain stories of their gods but little advantage can be derived from their persual. Whatever other stories and fables they have is contained in Kabits, puranas and namahs. The language possesses rules for composition and eloquence. The language is very precious, inferior to Arabic, but superior to Dari (Persian) and though the latter is certainly sweet and melodious, yet even in that respect this language does not yield to it."

The elegy composed by Mir Hasan, the friend and contemporary of Amir Khusru, on the death of Bulban's eldest son "The Martyr Prince" is one of the finest pieces of Indo-Persian composition and its imageries give some idea of the national development. Mir Hasan lies buried in Dowlatabad.

The Hindu rising which engulfed in indiscriminate destruction the family of 'Ala-ud-din Khilji is regarded by Oriental historians as a divine punishment for the murder of his patron. With the

exception of a few females every member of the ill-fated family, old and young, was slaughtered by the Hindus. In this massacre Dewal Rani and her lover-husband, Khizr Khan, lost their lives. The usurper, however, did not enjoy long the fruits of his crime and before five months were over he and his followers met with their just reward.

The Tughlak dynasty came into power in 1320 A.C. Zia-ud-din Barni who wrote their history in the time of Firoze Shah (who gives the name to the work) speaks in the highest terms of the first sovereign of this dynasty, Ghyas-ud-din Tughlak. Describing his administration, he says as follows:

> "Under his orders if any poor traveller, by the visitation of God, fall on the road and died, the feudal Chiefs, the Officers and the heads of the Villages were to be summoned together with the Kazis and the residents of the locality and in their presence the body was to be examined, a report was drawn up under the seal of the Magistrate certifying that no mark of a wound was discernible on the corpse after which alone it could be buried."

The Historian adds "thus by the enquiries of the Kazis all the injunctions of the law were fulfilled and it was in no way possible that during the reign of this sovereign any strong man could tyrannise over the weak."

The procedure introduced in England by Henry of Anjou was somewhat similar.

Ghyas-ud-din died after a short reign of barely five years. His son and successor, Mohammed Juna Khan, laid the Cyclopean foundations of the unfinished city of Tughlakabad, two hours drive from modern Delhi, which now remains a mournful monument of the vanity of the human wishes. An accomplished scholar, devoted to learning and arts anxious to do justice, desirous of earning the title which the old Persian King Anushirvan enjoyed —"the Just," his name is execrated as one of the cruellest tyrants in the history of Musulman India His character is summed up in a sentence by Sheikh Abdul Kadir Badauni, author of "The Compendious History of the World"—the *Muntakhib-ul-Tawarikh* —who compiled his work in the reign of Akbar. He says, "The kingdom was ruined by the cuelty and repression of the king, whose

belief it was that what he was doing was real justice."

ار افراط ظلم و تعدی سلطان کرد و اعتقاد او عین عدل بود ملک برباد شد

Juna Khan is regarded by most historians as half mad. Zia Barni gives an account of an interesting conversation he had with this extraordinary tyrant. "One day," the author writes, "while the King was thus distressed (by the success of the rebels) he summoned me, the compiler (of this history), to the throne and addressed me as follows, 'My kingdom is diseased and no treatment cures it ; like the physician who tries to cure a headache and fever grows, and if he attempts to cure fever delirium follows. So in my kingdom disorders have broken out; if I suppress them in one place they appear in another; if I allay them in one district another becomes disturbed. What have former kings said about these disorders?' I replied, Histories record many remedies which kings have employed in these disorders. Some kings, when they have perceived that they do not retain the confidence of their people, and have become the objects of general dislike, have abdicated their thrones and have given over the government to the most worthy of their sons. Retiring into privacy, and occupying themselves in innocent pursuits they have passed their time in the society of sympathising friends, without troubling themselves about matters of government. Other kings, when they have found themselves the object of general aversion, have taken to hunting, pleasure and wine, leaving all the business of the State to their viziers and officers and throwing off all concern in them. If this course seems good to the people, and the king is not given to revenge, the disorders of the State may be cured Of all political ills, the greatest and most dire is a general feeling of aversion and a want of confidence among all ranks of the people.' The Sultan replied, 'If I can settle the affairs of my kingdom according to my wish, I will consign my realm of Delhi to three persons, Firoz Shah, Malik Kabir and Ahmad Ayyaz and I will then proceed on the pilgrimage to the holy Kaaba. At present I am angry with my subjects and they are aggrieved with me. The people are acquainted with my feeling, and I am aware of their misery and wretchedness. No treatment that I employ is of any benefit. My remedy for rebels, insurgents, opponents and disaffected people is the sword. I employ punishment and use the sword, so that a cure

may be effected by suffering. The more the people resist the more I inflict chastisement.' "

Among the fantastic measures Juna Khan adopted for improving the condition of the people and restoring the prosperity of the country, was his attempt to introduce a paper currency, which added to the bankruptcy of the State. The misguided populace lampooned the Sultan, which was surreptitiously carried into the palace and added to the fury of the King, and led to cruel repressions. Juna Khan died in 1350 A.C. in an expedition into Sind, and as Abdul Kadir says, "At last the people were delivered from the Sultan and the Sultan from the people."

It is remarkable that the court of this tyrant, who in moments of frenzy was hardly in his senses, in spite of his cruelties, should have been the resort of scholars, poets and artists. Zia Barni, the historian, was a friend whom he consulted, the famous Badr-ud-din Chach[2] whose Divan is still studied by students of Persian, was the poet-laureate, Zahir-ud-din Jaiush the architect, Shahabuddin Abu'l Abbas Ahmed the rhetorician, Siraju'ddin Abul Fathe 'Umer, the jurist, enjoyed Juna Khan's patronage. But the most noted among these learned men was the traveller, historian, and savant from Tangiers, Ibni-Batuta, who visited Delhi in 1333 A.C. and has left a most interesting account of Delhi and its extraordinary and abnormally-minded ruler. He speaks of Delhi as a city of great extent with a large population, composed of four large suburbs, or as he calls them "cities." *viz.*, (1) Delhi "properly so called," meaning the old Delhi of the Hindus. (2) Siri where the Pathan Kings usually dwelt. (3) Tughlakabad, probably the unfinished city, the gigantic remains of which still astonish the foreign visitor, and (4) the *Jahan-panah*, a suburb begun by Juna Khan. Ibni-Batuta then describes the city thus:

"The wall which surrounds Delhi has no equal. It is eleven cubits thick. Chambers are constructed in it which are occupied by the night watch and the person charged with the care of the gates. In these chambers also there are stores of provisions called ambar, magazines of the munitions of war, and others in which are kept mangonels and ra'adas ("thunderer" a machine employed

2. Baber says it is another name for the city of Tashkend in Turkestan, also called Shash.

in sieges). Grain keeps in these chambers without change or the least deterioration. I saw some rice taken out of one of these magazines ; it was black in colour but good to the taste. I saw also some millet taken out. All these provisions had been stored by Sultan Balban ninety years before. Horse and foot can pass inside this wall from one end of the city to the other. Windows to give light have been opened in it on the inside towards the city. The lower part of the wall is built of stone, the upper part of brick. The bastions are numerous and closely placed. The city of Delhi has twenty-eight gates. First, that of Badaun which is the principal."

The postman in those days carried the bag exactly in the same way as he does to-day in out-of-the-way districts, on a long stick with an iron ring at one end on which the bag is swung, and he thus covered often twenty or thiry miles a day, jingling his stick as he went along.

Learned and religious men and the judicial officers, even under 'Ala-ud-din and Juna Khan enjoyed an immunity and freedom of speech which, from the nature of the rulers they had to deal with, is simply astounding. One incident which, however, occurred at a later period under Behlol Lodi (1451 A.C.) will serve as an illustration of the liberty of speech that a man of learning enjoyed. Behlol's son Nazim Khan, who afterwards became Sikandar Lodi was at the time of the occurrence to which I am referring Governor of the district east of Delhi. News was brought to him that a band of riotous Hindus had collected at Kurkhet not far from Thaneswar to bathe in their sacred tank and worship at the temple situated there, and he decided upon putting them summarily to death. But before taking that course he was advised to consult the doctors of law. They were accordingly assembled and Nazim Khan propounded the question to the chief among them who bore the title of *Malik-ul-'Ulama* ("The King of the Learned") whether he would be justified in putting the Hindu worshippers to death. "The *Malik-ul-'Ulama*," says the chronicler, "assured the prince, that it would be very improper for him to destroy an ancient idol-temple and that he ought not to forbid the accustomed rite of performing their ablutions in the tank. When this conversation had lasted a short time the Sultan placed his hand on his dagger, and exclaimed, "You side with the infidels, I will first put an end to

you and then massacre the infidels at Kurkhet." Mian 'Abdulla said, "Every one's life is in the hand of God--no one can die without His command : whoever enters the presence of a tyrant must beforehand prepare himself for death, let what may happen. When you asked me, I gave you an answer in conformity with the precepts of the Prophet; if you have no reverence for them what is the use of inquiring?"

This courageous stand seems to have cooled the ardour of the fierce Afghan.

Such instances are common throughout this period whether India or in Europe, when human life and human rights were held so cheap.

In Juna Khan's time[3] the Chief Justice, usually called the Sadr-us-Sudur or Sadr-i-Jahan, was Khwaja Kamal-ud-din Ahmed, a man of great erudition. The word *Sadr* existed in India under the British rule up to the 'seventies. The East India Company established three grades of judges for the Moffussil Courts, under the old Mussulman names of Munsiff (an officer who still exercises a limited jurisdiction under that old designation), then came the Sadr Amin and above him the Sadr Amin a'la.—These two officers are now called Subordinate Judges.

On the death of Juna Khan the nobles and grandees elected to the throne his cousin[4] Firoze the son of Malik Rajab, who held the office of Lord Chamberlain, as the most fitted by his virtues and abilities to cope with the disorders to which the ill-balanced mind of the last King had given birth in the Empire. The description of his election is interesting and shows the respect which was paid to the ruler whenever he was placed on the throne and was invested with the crown of the Empire. Zia Barni has left us an account of the first five years of Firoze's reign: but the account by Shams-i-Siraj 'Afif, who also wrote his work in Firoze's time, is the most complete. From these two contemporaneous records and his own memoirs we form a clear conception of him as a man and as a ruler By far he is the most lovable personality in Medieval India. Juna Khan had left the Imperial Treasury absolutely denuded: immediately on his arrival the merchants and bankers of their own free will advanced him a large sum of money to carry on the adminis-

3. Juna Khan, 1325-1351. 4. Firoze born, in 1309, 1351-1388.

tration. Towards the close of Juna Khan's reign Delhi bore tl appearance of a deserted city. Firoze's first efforts were directe to bring back the people and to inspire them with confidence in tl Government. "I, Zia Barni, the author of this work *Tarikh-Firoze Shahi*, writing in my seventy-fourth year affirm that (soc after the accession of Firoze Shah) to whichever place of publ resort I go, whether mosque or a place for the performance of 'I prayers, or a Serai or a market I am astonished at the sight of th immense concourse gathered there, at their appearance of pro: perity and their sense of security, and I wonder where they hav come from."

The historians say Firoze devoted his attention, after providin for the prosperity and security of the people, to three principa objects, (1) the liberation of prisoners, (2) redressing the wrong of the oppressed and (3) restoration and construction of religiou and educational buildings.

His treatment of the provinces which he brought under his rul was merciful; he never permitted a place to be taken by assaul out of regard for the enemy's women, for fear that they might b subjected to insult by his soldiers. He built canals, one of which i still in existence for the reclamation of lands which had eithe become waste from neglect or were lying uncultivated for want o irrigation.[5]

The people made a small contribution towards the maintenanc of these canals. He appointed officers to watch and guard agains inundation by the rivers. He built the city of Firozabad fou miles from Delhi and endowed it with mosques, colleges an hospitals. Shams-i-Siraj says that the eight public mosques fo

5. In the month of Sha'ban 756h (the Sultan) went towards Dipalpu hunting, and having dug a large canal from the river Sutlej, he conducted to Jhajhar, forty-eight kos distant. In 757 he cut a canal from the riv Jumna, in the hills of Mandewi and Sirmor, and having turned seven othe streams into it, he brought it to Hansi and from thence to Abasin, where h built a strong fort which he called Hisar Firozah. Below that fort and nea the palace he dug a tank which he filled with the waters of that canal. H formed another canal from the river Khagar, and conducting it by the fort o Sarsuti he brought it to the river Sar-Khatrah where he founded the city o Firozabad. He also brought another canal from the Jumna and threw it int the tank of that city.

which Firozabad was indebted to the king were each capable of accommodating a congregation of 10,000 people. An account of the modes of public conveyance for the ease of passengers between Delhi and Firozabad gives some idea of the advance in the amenities of civilised life. Saddled horses and mules were available at all times; but carriages drawn by horses or mules were equally at the disposal of people who did not wish to ride; the charges for these vehicles were extremely moderate. Palanquins with bearers could be hired at any moment; whilst camel carts were used for longer journeys.

The hospitals and colleges were supported by the State. Firoze's fondness for gardens was so great that at his own expense he either made or helped in making 1,200 gardens in Delhi and its vicinity. Besides hospitals he established "a house of charity" where poor people received regularly doles of food. He had a regular system for preventing unemployment.

In his *Futuhat-i-Feroze Shuhi* ("The Conquests of Firoze Shah") he does not speak of his conquests by force of arms, but of his pious deeds. After describing the monuments of his great predecessors which he had either renovated or repaired and brought back to life, and the endowments he created for their upkeep, he describes with the simplicity of a soldier his own works of mercy. To show the character of this good king, the following two passages from the *Futuhat* are of extreme interest: "I was enabled," says the royal author, "by God's help to build a Daru-sh Shifa (Hospital) for the benefit of everyone of high or low degree, who was suddenly attacked by illness and overcome by suffering. Physicians attend there to ascertain the disease, to look after the cure, to regulate the diet, and to administer medicine. The cost of the medicines and the food is defrayed from my endowments. All sick persons, residents and travellers, gentle and simple, bond and free, resort thither; their maladies are treated and, under God's blessing, they are cured.

"Under the Guidance of the Almighty I arranged that the heirs of those persons who had been executed (*Kushta*) in the reign of my late lord and patron Sultan Muhammad Shah and those who had been deprived of a limb, nose, eye, hand or foot should be reconciled to the late Sultan and be appeased with gifts, so that

they executed deeds declaring their satisfaction, duly attested by witnesses. These deeds were put into a chest, which was placed in the Daru-l-aman at the head of the tomb of the last Sultan, in the hope that God in his great clemency, would show mercy to my late friend and patron, and make those persons feel reconciled to him.

"Another instance of Divine Guidance was this. Villages, lands and ancient patrimonies of every kind had been wrested from the hands of their owners in former reigns, and had been brought under the Exchequer. I directed that every one who had a claim to property should bring it forward in the law-court, and upon establishing his title, the village, the land or whatever other property it was should be restored to him. By God's grace I was impelled to this good action and men obtained their just rights."

Hindus were largely employed in the public services before the time of Feroze, and Hindu nobles are frequently mentioned in the court entourage. But in his reign they appear more prominently, occupying positions alongside the Musulman high officers of State.

The study of Sanscrit commenced early, but it seems to have received an extraordinary impetus under this monarch. 'Izz-ud-din Khalid Khafi whom Sheikh Abdul Kadir describes as one of the poets and literary men of Feroze's time translated under the orders of the king many Sanscrit works in astronomy, music, medicine and astrology. These were collectively called *Dalail-i-Firozi*. Moalana Daud rendered into Persian the famous Sanscrit poem *Chandaban*. Kazi Zahir Dehlawi and Malik Ahmed were the best known poets of this time. Two of the holy men whose *Khankahs* formed religious centres in Feroze's reign were Sheikh Makhdoon [*sic*] Nasir-ud-din Chirag-i-Delhi, "The lamp of Delhi" and Sheikh Jamal-ud-din of Hansi, some miles to the west of Delhi. These *Khankahs* were spread all over India from the earliest period of Musulman settlement and still exist in various parts of the country. They were the resorts of people in search of religious instruction or those who wished to escape from the afflictions of those troublous times. The same motive which impelled earnest Christians in the Western world to take refuge in monasteries led these Moslems to a *Khankah*.

In Feroze's time we hear of two principal departments of State, one the *Diwan-ul-Wizarat* invested with the duty of civil administration; and the other the *Diwan-ul-Arz*, the War office. His regular army consisted of 90,000 cavalry, more than 200,000 infantry, 470 war elephants, numbers of "barrier-breaking" boats. His personal equipage on the march consisted of two outer tents (*dahliz*), two reception tents, two sleeping tents for cooking and domestics. He established a system of registration for horses and men which was afterwards so carefully developed in Akbar's reign. 'Ala-ud-din had abolished the custom of paying soldiers and State functionaries by grants of land as he considered it impolitic. Feroze restored the system as he considered it gave them a stake in the country.

We first hear of a clock (*Tas-i-Gharial*) in his time for marking time and announcing the hours of prayer.

India is indebted to Feroze for at least three cities. Hissar, Janpur and Firozabad. But few people know that the restoration and repeopling of Agra was due to this noble-hearted mediaeval monarch.

Feroze died after a reign of nearly thirty-eight years on the 26th of September, 1388, at the age of ninety, and with him ended the glory of Pathan rule.

Firoze was one of the three sovereigns of India who received regular investitures from the Caliph, Altamsh and Juna Khan being the two others. Nothing shows so clearly the veneration in which the Sunni world holds the Caliphate as the respect that was paid to the envoys of the Caliph on their arrival on the soil of India and the ceremonies with which they were received. The Caliphate, they held devolved on the Abbasides who possessed the right of legitimatising the title of Musulman sovereigns to rulership. That right devolved on the Osman Sultan Selim I when Caliphate was transferred to him by the last Abbaside Caliph of Cairo.

The successors of Firoze were ignoble princes: new dynasties arose and fell. But in spite of internecine strife and the calamities

5. Feroze Shah constructed 5 Canals (band-i-jui); 4 Mosques (Firishta says 40); 30 Colleges; 20 Monasteries (Khankah); 100 Palaces (Kushk); 200 Caravanserais (rabat); 300 Towns; 5 Tanks (hauz); 5 Hospitals, 100 Mausoleums, 10 Baths; 10 Monumental Pillars minarets; 150 Wells; 100 Bridges and ardens beyond number.

of foreign invasion, the remains of Firoze's good works continued to inspire a certain amount of emulation and to ensure the continuance of progress.

Among the later Pathan kings, the two under whom Northern India prospered and progressed were Behlol Lodi and his successor Sikandar Lodi (to whom reference has already been made under the name of Nizam Khan). Behlol had ascended the throne in 1451 A.C.[6] He appears to have been genuinely solicitous of the welfare of the people and tried to imitate Firoze in his benefactions. Sikandar also appears to have been a munificent patron of learning and Sheikh Abdul Kadir Badauni mentions the name of many prominent learned men of his time. Among the principal *'Ulama* of the time of Sultan Sikandar were Sheikh Abdullah Talabni of Dehli and Sheikh Azizullah in Sambat who after the sack of Multan (by Tamerlane) came to Hindustan and introduced there the exact sciences (علم معقول) in contradiction to traditions). Before this, excepting the *Sharh-i-Shamsia* and *Sharh-i-Ajaif*, two works on logic, and some works on *'Ilm-i-Kalam* (theological philosophy) few other branches of learning were in vogue. "I have heard from my masters" says the chronicler, "that forty learned men whose names are set forth) derived instruction from Sheikh Abdullah. . . . It was the custom of Sultan Sikandar to assemble the learned of his country in his palace and to seat Sheikh Abdullah and Sheikh Azizullah on one side of him, and Sheikh-ul-Hadya and his son, Bahkari, on the other side and have disputations; and it used to appear that the first two worthies excelled in ratiocination and argument, and the latter two esteemed men in recorded knowledge (*tahrir*) excelled each other."[7]

He appears to have been devoted to music and every night *Shahnais* (performers) played in the royal durbar on the *surna*, the *chang*, the *kanun*, the *tambur* and the *bin*.

Sikandar died in 1517 A.C. and was succeded by his son Ibrahim Lodi.

6. He died in 1488 A.C.
7. *Tarikh-i-Daudi*.

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ISLAMIC CULTURE UNDER THE MOGULS

[*Islamic Culture*, October 1927, pp. 499—521]

The accession of the Mogul dynasty to the Empire of India marked a new epoch in the history of Islamic culture.

Zahir-ud-din Mohammed Babar, the Lion King, was one of the most remarkable personalities of that age, prolific in great men. He began his career at the age of twelve, fighting for kingdoms and losing them. At the age of 37 he acquired Cabul of which he and his successors retained possession until the time of Nadir.

His contemporaries in England were Henry VIII and Henry VIII; in France Charles VIII and Louis XII and Francis I; in Germany the Emperors Maximilian and Charles V; and in Spain Ferdinand and the fanatical Isabella.

His "Memoirs" record the story of his life with a simplicity and vividness of description that has few equals in the life-accounts of monarchs. An English writer describes him as a great general and a profound politician! He was an accomplished scholar and versed in Arabic, Persian and Hindi; a curious and exact observer of the statistical phenomena of every region he entered—he does not fail to record every detail that comes within his purview. He is described as good-humoured, brave, munificient, sagacous and frank in his character.

"The great charm of the work," adds this critic to whom I have referred, "is in the character of the author, whom we find, after all the trials of a long life, retaining the same kind and affectionate heart, and the same easy and sociable temper with which he set out in his career, and in whom the possession of power and grandeur had neither blunted the delicacy of his taste nor diminished his sensibility of the enjoyment of nature and

imagination."

Babar was born in 1482 and died in 1530. He entered India in November 1525 and in less than six months, by the overthrow of Ibrahim Lodi, the Afghan King of Delhi, was master of Hindustan. The plain of Panipat has been three times the field of contest for the Empire of India. On the first occasion the defeat of Prithvi Raja by the Ghorian King decided the fate of the Indian continent and established Musulman rule. The second was Babar's decisive victory over Ibrahim Lodi. The third was still more momentous; the total debacle of the proud Mahratta host which had issued for the conquest of North India and its crushing defeat by the Musulman army in 1742 paved the way for the establishment of British power.

The five years of Babar's reign were occupied in conquering the turbulent elements in the country and restoring order; yet, in spite of incessant labour and frequent marches in pursuit of rebels and enemies, he was busy with the creation of aqueducts, reservoirs, and other improvements, and the introduction of new fruits and products from foreign lands. In the midst of his unceasing activities he did not neglect literature; himself an accomplished writer and poet in two languages—Turkish and Persian—he cultivated the society of cultured scholars. He appears to have compiled a work on Hanafi jurisprudence which was commented upon by Shaikh Zaini. The historian Khondemir, the author of the *Hafil-us-Siyar*, visited him in Agra and has left an appreciative account of his reception by the Lion King. Abdul Kadir Badauni gives an account of the men of learning who flourished in his time (*Zaman-i-u*). The foremost among them were Shaikh Zaini who translated Babar's Memoirs from Turkish into Persian; Maulana Bakai, a scholar and a poet; and Maulana Shahab-ud-Din Muammai, a gifted scholar and rationalist. We learn from Babar's Memoirs that affairs of State were discussed and decided at meetings of the Council (Divan) which seems to have been regularly held.

Babar was extremely severe in repressing any excesses on the part of soldiery. He says himself that having learned that the troops had behaved badly towards the inhabitants of Bahrah, and were "using them ill" he sent out a party who seized a few of the culprits "that had been guilty of excesses"; some were

executed, others received condign punishments.

Artillery does not seem to have been in use in India before Babar's time. Matchlocks and flintlocks had been employed by the Mameluke Sultan Baibars surnamed *Bandukdar* to crush the Mongols, but there is no verified record of their being used for purposes of warfare by Indian armies. In the time of Firoze, fire is spoken of as being employed on both sides in military operations. As fireworks were known in India from early times, probably the "fire" mentioned by the historians of Firoze was either naphtha used by means of tubes or the *hawai* which are to be seen even nowadays on occasions of Indian festivities, and which can be used by dexterous hands to deadly purpose. In all probability, the *burkandaz* "the lightning thrower" who in modern times became the humble policeman or orderly, was employed in this work.

The use Babar made of his artillery in fighting with the Indian armies marked an epoch in the history of warfare in that country.

Babar describes in his Memoirs the four Musulman kingdoms into which Upper India had broken up after the death of Firoze, and the Bahmani kingdom in the Deccan which had become enfeebled and distintegrated in course of time. He also speaks of the two Hindu States which exercised independent powers, viz. Chittore and Bijainagar. Of the custom of the succession prevailing in the kingdom of Bengal, which was then ruled by a king of the name of Nasrat Shah, he gives an interesting description.

Although he had conquered India he was not particularly fond of the land and he was full of all the prejudices of a Westerner. The following description is interesting:

"Hindustan is a country," he says, "that has few pleasures to recommend it. The people are not handsome. They have no idea of the charms of friendly society, of frankly mixing together, or of familiar intercourse. They have no genius, no comprehension of mind, no politeness of manner, no kindness or fellow feeling, no ingenuity or mechanical invention in planning or executing their handicraft works, no skill or knowledge in design or architecture, they have no good horses, no good flesh, no grapes or muskmelons, no good fruits, no ice or cold water, no good food or bread in their bazars, no baths or colleges, no candles, no

torches, not a candlestick. Instead of a candle and torch, you have a gang of dirty fellows whom they call *deutis* who hold in their left hand a kind of small tripod, to the side of one leg of which, it being wooden, they stick a piece of iron like the top of candlestick; they fasten a pliant wick of the size of the middle finger, by an iron pin, to another of the legs. In their right hand they hold a gourd, in which they have made a hole for the purpose of pouring out oil in a small stream and whenever the wick requires oil, they supply it from this gourd. Their great men kept a hundred or two hundred of these *deutis*. This is the way in which they supply the want of candles and candlesticks. If their emperors or chief nobility, at any time, have occasion for a light by night, these *deutis* bring in their lamp which they carry up to their master, and there stand holding it close by his side."

This sweeping condemnation is a generalisation to which expression has been given by many Englishmen. But I fear in both cases it is due to superficial knowledge. Babar, though a keen observer and a sympathetic ruler, had little time to cultivate intimate social relations with the people of the country. He wrote his impressions of his new acquisitions without an opportunity of correcting them by longer acquaintance. That his statement regarding the material condition of the country is not altogether correct abundantly appears from the Travels of Abdur-Razak, who visited Southern India in the course of a mission sent to the East by Sultan Abu Sa'id, the Khakan-us-Sa'id, grandson of Shah Rukh Mirza the son of Tamerlane, and from the description which has been left by an envoy of Akbar, Babar's grandson, to the Court of Bijapur in the Deccan.

At the same time, much of the charge made by Babar is well-founded. I myself have seen in my early years in the mofussil districts, in the houses of Hindu Rajas and magnates, the "dirty deutis" employed to fulfil the purpose of lamps and candles on festivé occasions.

Babar's condemantion of India reminds one of the passages in Shaikh 'Ali Hazin's Memoirs, in which he deplores the necessity of his having to spend so many years of his life in Hindustan. Flying from the Afghans, he had taken refuge in India and yet he could not bear it. He deplores the fate which had condemned him

to spend his old age in the uncongenial climate of Hindustan.

Babar died before he had completed his work. His successor Humayun did not possess either his military genius or administrative capacity. An amiable and kind-hearted king, he was unable to cope with the turbulent elements of the country, and before long had to leave Hindustan to a new Afghan chief of the tribe of Sur, who, under the title of Sher Shah, united afresh his unruly fellow-countrymen and in 1542 made himself the ruler of Northern India. Sher Shah and his sons held power for nearly 15 years.

Sher Shah's principal reforms were directed to the revival of the rules initiated originally by Firoze for the protection of the agriculturists. The land throughout the country was divided into fiscal units, in each of which he placed five officials, one of whom was a Hindu accountant and another a Musulman judicial officer. These two acted as the mediators between the revenue officials and the ryots. The system of assessment was simplified, and the new taxes that had grown up since the death of Firoze were abolished. Save in frontier districts and jungle tracts, people were not allowed to keep or carry offensive weapons. He caused a highroad to be made from the easternmost districts of Bengal to the Punjab, planted on each side with shady trees, mostly mango or tamarind. This road was regularly patrolled and was provided with police outposts and serais at regular intervals. This road is still in existence. He made three other roads for travellers and merchants as well as the rapid transit of troops; one from Agra to Burhanpur in the Deccan, the other across Rajputana, and the third from Lahore to Multan.

He is said to have been well read in Persian literature and Islamic theology, and men of learning were welcomed to his Court. Shaikh Abdul Kadir Badauni refers to his benefactions and the chronicler who wrote the history of Sher Shah's times warmly eulogises his patronage of learned and religious men.

Humayun, hard pressed in India by his Afghan foes and prevented from entering Cabul by his traitorous brothers, betook himself to Persia. Shah Tahmasp the Great was at that time the ruler of Iran and the magnificence and culture of his Court was a revelation to the son of Babar. Badauni says whilst in Persia Humayun adopted the Shiah doctrines. This is contradicted by

other writers ; at any rate on his return from Persia to Cabul five years later he was not only accompanied by a large Persian force to help in regaining his Afghan dominions, but also by a number of men of learning who followed him to India. From that time there was a constant influx of Persian scholars, Persian architects, and Persian adventurers into Hindustan. Persian culture from this reign had a far greater influence in moulding Indian Musulman civilisation than at any previous period of Indian history. And the comparison of that influence with British work within the last century and a half forms an interesting historical study.

The eclectic culture which grew up under Akbar has attracted the attention of many scholars, both in Europe and in India. The latest work on the subject is from the pen of a learned Musulman writer, Moulvi Mohammed Hosain Azad, and is called the *Darbar-i-Akbari*. It contains a clear and concise account of Akbar's Court, of the learned men whom he had collected round him and of his regulations for the well-being of his people. Of course the best record of his achievements in peace and war is contained in the eloquent pages of his official history written by his friend and councillor, Abul Fazl, in the compilation of Shaikh Abdul Kabir Badauni, by no means an appreciative narrator of Akbar's ideals, and in the *Tabakat-i-Akbari* of Nizam-ud-din Ahmed, one of Akbar's officials.

Akbar ascended the throne in 1556 at the age of fourteen under the guardianship of Bahram Khan, a trusted servant of Babar. Three years later he assumed the direct rule of his empire. From that time forward the marvellous genius of the young king was employed in suppressing rebellions, consolidating the disintegrated Provinces, evolving order out of chaos, and in creating a nation out of the heterogeneous elements of Hindustan His attempt to weld together the Hindus and Mohammedans led to the establishment of a new cult which was hoped to bring into one fold the followers of the two faiths.

His rules and regulations for the government are embodied in the remarkable work called the *Ayeen-Akbari*, the "Institutes," or rather "The Ordinances of Akbar". No detail of administration has escaped notice, while the revenue system, based on Khwaja Ahmed Hasan Maimandi's and Firoze Shah's system, is Akbar's

greatest legacy to succeeding rulers—a legacy on which the British Government is still working. The *Ayeen-Akbari* like the *Akbar-nama*, is the work of Abul Fazl, unquestionably the most gifted and far-sighted of all Akbar's councillors. Badauni, in his jealousy of a successful rival and in his intolerant hatred against the liberalism of a true statesman, has bitterly attacked Abul Fazl. But fame of this philosopher and patriotic statesman grows greater with the lapse of time and the character of the help that he gave his sovereign is beginning to be really appreciated. Akbar was a genius, but probably his labours for the people confided to his care would have ended in failure but for the support and unflinching loyalty of a man like Abul Fazl and his brother Faizi.

Nothing shows so clearly Akbar's anxiety for the welfare of the peasantry or the necessity of making their burdens as light as possible as the minute instructions embodied in the *Ayeen-Akbari* for the guidance of the collectors of revenue. The village officials of the present day are the titular descendants of the officials of Akbar's time; the Kanungo and the Patwari still perform the same duties; they still prepare the *Jummabadis* (the Collector's registers), the *Jumma-wasil-bakis* (the balance-sheets of the village collections); the rate of rent is still the *Sharh*, the standard of land measurements is still the *gaz* and the advance to the *raiyats* is still the *takawi*, the old Arabic word handed down from the Abbaside rule in Mesopotamia.

The influence of the revenue system of Akbar was not confined to the realm under his direct sovereignty: it reached lands so far distant as the Carnatic.

For the purpose of philosophical and religious discussions, at which he was almost invariably present, Akbar erected a special building which was named the *Ibadat-Khaneh* or "The House of Devotion," where learned men versed in all departments of knowledge, theologians, scientists, poets, travellers, assembled regularly on Thursday evenings. Although Islam has no State clergy nor priesthood, the doctors of divinity who appropriated to themselves the title of *'Ulama* came to be recognised by the public as the sole representatives of the true human knowledge and infallible propounders of religious and secular law. Under the Afghans their prestige was unbounded: the tyrant 'Ala-ud-Din

Khilji tried to limit their powers and frequently put aside their counsel by the remark "religious law is one thing, political expediency another". But whilst they stood between the tyrant and the people and often tempered the harshness of the rude soldier by quotations from the Koran, in their intolerant dogmatism they refused to liberalise their interpretations or to bring them into conformity with the times. As in Europe, they were the persecuting enemies of non-conformity. Until Akbar broke their power by exiling the most fanatical to distant parts of his empire, they monopolised all judicial offices ; *Muftis*, *Kazis* and *Mir-Adls* were selected from their body and they were the keepers of the conscience of the people.

Akbar soon found from the disputations that they were unsafe guides, that they were not such infallible expounders of the sacred law as they claimed to be. Under the Afghan rule the *Mujtahids* (the expounders) were all-powerful and insisted on the literal enforcement of the law, a good and beneficent rule at the time, but needing modification and relaxation in view of changes in social conditions or the growth of new political, social and economic conditions. Akbar found it impossible to deal with his dominions on the narrow lines laid down by them. He accordingly in 1579 issued a manifesto which curiously was signed by all the leading *Mujtahids* and *Kazis*, including the *Sadr-us-Sudur* and the *Sadr-i-Jahan* (the Chief Justice and Lord Chancellor respectively). It constituted him the arbitrator on disputed legal questions.

Badauni has preserved a copy of this remarkable and interesting document, which is as follows :

"Whereas Hindustan has now become the centre of security and peace and the land of justice and beneficence, a large number of people, especially learned men and lawyers have immigrated and chosen this country for their home. Now we, the principal *Ulama*, who are not only well-versed in the several departments of the law and in the principles of jurisprudence and well acquainted with the edicts which rest on reason or testimony but are also known for our piety and honest intentions, have duly considered the deep meaning first of the verse of the Qoran 'Obey God—and obey the prophet and those who have authority among you' and secondly of the genuine tradition 'Surely the man who is dearest

to God on the day of judgement is the Imam-i-A'dil; Whosoever obeys the Amir, obeys Me, and whosoever rebels against him, rebels against Me,' and thirdly of several other proofs based on reasoning or testimony; and we have agreed that the rank of a Sultan-i-Adil (a just ruler) is higher in the eyes of God than the rank of a Mujtahid. Further we declare that the king of Islam, Amir of the Faithful, shadow of God in the world, Abul Fath Jalaluddin Muhammad Akbar Padishah-i-ghazi whose kingdom God perpetuate, is a most just, a most wise, and a most God-fearing king. Should therefore in future a religious question come up, regarding which the opinions of the Mujtahids are at variance, and His Majesty, in his penetrating understanding and clear wisdom, be inclined to adopt, for the benefit of the nation and as a political expedient, any of the conflicting opinions which exist on that point, and issue a decree to that effect, we do hereby agree that such a decree shall be binding on us and on the whole nation.

"Further, we declare that, should His Majesty think fit to issue a new order, we and the nation shall likewise be bound by it, provided always that such an order be not only in accordance with some verse of the Qoran but also of real benefit for the nation; and further, that any opposition on the part of the subjects to such an order as passed by His Majesty shall involve damnation in the world to come and loss of religion and property in this life.

"This document has been written with honest intention for the glory of God, and the propagation of Islam and is signed by us the principal *Ulama* and lawyers in the month of Rajab of the year 987 of the Hijra."

In spite of this, the Ulama were a thorn in his side and Akbar had to get rid of many of them in order to carry out his object of welding the Hindus and Mohammedans into one nation.

Shaikh Abdullah, who had been invested with the exalted office of Shaikh-ul-Islam with the title of *Makhdumu'l-Mulk* in the time of Sher Shah, and had held it without interruption until the issue of the manifesto, was found to have trafficked in the grants of *Alma* lands (lands granted free of revenue to learned and religious people for their support), and had amassed an enormous fortune, was immediately relieved of his duties. Others who, inflated with pride and intolerance, barred the road of progress and reform were exiled to Eastern Bengal, the Siberia of the Moguls, where their descendants are still to be found. In many cases the lapse of

more than three centuries has effected little change in the hereditary characteristics.

Badauni has not a good word to say of the work of Akbar. His prejudices blind him to the motives of that great ruler in initiating some of his greatest reforms. Hitherto the king was the servant of the *Shariat*, "The Sacred Law," under which was included not only the simple regulations of the Qoran, but also those derived from the traditions of the Prophet called forth by the necessities of the times, and the expositions of the legists. The propounders of the law ignored the dictum of the Prophet that every age has its own needs. Akbar in introducing his reforms kept in view the Prophet's own saying and the pronouncements of the most enlightened *Mujtahids* of earlier days. Among the administrative regulations of Akbar may be mentioned the abolition of the pilgrim-tax and the capitation-tax on non-Moslems, the prohibition of the burning of widows among the Hindus; of reducing to slavery captives taken in war, of the shooting of monkeys or dogs, and the sacrifice of horses.

In Akbar's time tobacco was first introduced into the Mogul capital. There is a quaint account of its introduction in the *Wikaya* of Asad Beg who was sent on a mission by Akbar to 'Adil Khan or 'Adil Shah of Bijapur:

"In Bijapur I had found some tobacco. Never having seen the like in India, I brought some with me, and prepared a handsome pipe of jewel work. The stem, the finest to be procured at Achin, was three cubits in length, beautifully dried and coloured, both ends being adorned with jewels and enamel. I happened to come across a very handsome mouthpiece of Yeman cornelian, oval shaped which I set to the stem; the whole was very handsome. There was also a golden burner for lighting it, as a proper accompaniment. 'Adil Khan had given me a betel bag, of very superior workmanship; this I filled with fine tobacco, such, that if one leaf be lit the whole will continue burning. I arranged all elegantly on a silver tray. I had a silver tube made to keep the stem in and that too was covered with purple velvet.

"His Majesty was enjoying himself after receiving my present, and asking me how I had collected so many strange things in so short a time, when his eyes fell upon the tray with the pipe and its appurtenances; he expressed great surprise, and examined the tobacco which was made up in pipefuls; he enquired what it was

and where I had got it. The Nawab Khan-i-Azam replied : 'This is tobacco which is well known in Mecca and Medina and this doctor has brought it as a medicine for Your Majesty.' His Majesty looked at it and ordered me to prepare and take him a pipeful. He began to smoke it, when his physician approached and forbade him doing so. But His Majesty was graciously pleased to say that he must smoke a little to gratify me, and taking the mouthpiece into his sacred mouth drew two or three breaths. The physician was in great trouble, and would not let him do more. He took the pipe from his mouth and bid the Khan-i-Azam try it, who took two or three puffs. He then sent for his pharmacist and asked what were its peculiar qualities. He replied that there was no mention of it in his books but that it was a new invention and the stems were imported from China, and the European doctors had written much in its praise. The chief physician said, 'In fact this is an untried medicine, about which the doctors have written nothing. How can he describe to Your Majesty the qualities of such unknown things? It is not fitting that Your Majesty should try it.' I said to the chief physician, 'The Europeans are not so foolish as not to know all about it; there are wise among them who seldom err or commit mistakes. How can you, before you have tried a thing and found out all its qualities, pass a judgment on it that can be depended on by the physicians, kings, great men and nobles? Things must be judged according to their good or bad qualities and the decision must be according to the facts of the case.' The physician replied, 'We do not want to follow the Europeans and adopt a custom, which is not sanctioned by our own wise men, without trial.' I said, 'It is a strange thing, for every custom in the world has been new at one time or other; from the days of Adam till now they have gradually been invented. When a new thing is introduced among a people and becomes well known in the world every one adopts it; wise men and physicians should determine according to the good or bad qualities of a thing; the good qualities may not appear at once. Thus the China root, not known anciently, has been newly discovered and is useful in many diseases.'

"When the Emperor heard me dispute and reason with the physician he was astonished and being much pleased gave me his blessing and then said to Khan-i-Azam, 'Did you hear how wisely Asad spoke? Truly we must not reject a thing that has been adopted by the wise men of other nations merely because we cannot find it in our books; or how shall we progress?' "

Akbar revived in his Court the institution of ladies' Bazaars which flourished in Transoxiana. It was called the *Mina Bazaar*,

or the Fancy Fair. In these bazaars beautiful stalls were set up for the royal ladies and the wives of nobles and magnates to sell fruits, flowers, embroideries worked by themselves, jewellery and such wares. These bazaars were naturally not open to the general public, but the Emperor, the princes of the royal family and privileged nobles were admitted. The wares, of course, were sold at fabulous prices and the return went to charity. At one of these fairs Jehangir, who was then Prince Selim, met Meherunnissa who afterwards became his consort with the title of Nur-Jehân, "the Light of the World".

Every work in Arabic, Persian, Sanscrit, and the languages of Europe was read to the Sovereign. If he did not understand the language, the work was translated for him. The *Singhasan Butisi*, the story of the legendary Hindu king, Vikramudatya, was rendered into Persian by Badauni himself and received the name of Kherad afroz. The Maha-Bharate, the Ramayana and other old Sanscrit works were similarly rendered into Persian.

Badauni has given in his work a complete list of the lawyers, jurists, physicians, poets and musicians who flourished in this great king's reign. Than Sein and Gobind Das were the two most famous musicians of his time, and the bounties he bestowed on them give some idea of his munificence.

He built Fatehpur Sikri in the 14th year of his reign and there he held the famous conclaves of the learned which gave so much *eclat* to his rule.

Under him India witnessed two remarkable movements for both of which a parallel may be found in Europe. Akbar ascended the throne, as already mentioned, in the year 963 of the Hegira (1556 A.C.). As the close of the century began to draw near a large number of Indian Musulmans began to be agitated at the advent of the millennium at which the promised Deliverer, the Mahdi, was to appear with the Prophet Jesus to redeem the world from sorrows and pain. Several Mahdis, of course, appeared in response to the widespread hope which inspired the masses. They were generally men of virtuous lives and enthusiasts, but suffering from spiritual exaltation.

The Ulama treated them with the rigour which was meted out to heresies in Europe; many were executed and others driven out

of the country. The persecution by the ecclesiatical judges of these poor enthusiasts was revolting to Akbar's liberalism and generous disposition and this was one of the main causes which led him to throw off the shackles which had fettered him so long.

The other movement was that of the Roushenia Cult. The Roushenias were the exact counterpart of the *Illuminati* of Europe.

The three great men who deserve prominent notice in Akbar's reign are Abul Fazl, the great Allami (the scholar, *par excellence*), his brother Faizi, and the Rajah Todarmull, the Finance Minister.

The great work Abul Fazl did to make Akbar's reign a success can never be overestimated nor can the value of Todarmull's revenue Administration be overlooked. Abul Fazl and Todarmull are justly regarded as two of the greatest statesmen of any age.

To Akbar, besides Fatehpur Sikri and other cities, we owe the establishment of Allahabad which Badauni calls Ilahbas, not far from the ancient Hindu city of Pryag. The immense garden his grandson Khusru made there is still in existence.

The sketch of Islamic culture in Akbar's time would hardly be complete without some reference to his clever and accomplished aunt, Gulbadan Begum, the sister of Humayun, a translation of whose memoirs has been recently placed before the public by the industry of Mrs. Beveridge. Gulbadan Begum and Nawab Salima Sultan Begum twice voyaged to Mecca, in those days—when the Indian Ocean was fested by Portuguese pirates—an enterprise attended with extreme danger and difficulty.

Akbar died in 1603 and was succeeded by his son Selim who assumed the title of Jehangir. Jehangir's character was a strange mixture of good and bad. A disobedient son who broke the heart of his mother, a Hindu Rajput lady, and drove her into an early grave, who twice rebelled against an indulgent and loving father, Jehangir when he succeeds Akbar on the throne expresses unbounded admiration for his father's work. a touching devotion to his mother's memory. He took for his administration the ideal of his father's life. Cruel when in drink, he was generous and even mild when sober. He was good judge of pictures and could distinguish the work of any that came before him.

His marriage with Nur Jehan may be regarded as his salvation, for she weaned him from drink. He saw her first when she was a girl,

of 14 at one of the Fancy Bazaars held in Akbar's time, and it grew into love as he saw her from time to time when she came with her mother to visit the palace. Selim's infatuation was brought to the notice of Akbar who advised Meherunnissa's father Khwaja Gyas [*sic*] to marry her off as quickly as possible. She was accordingly married to an Afghan officer who went on duty to Bengal. The story of her husband's death forms a matter of charge against Jehangir's memory, but one can hardly believe that he could have instigated it, as some historians mention, when we remember that for three years after Meherunnissa came to Delhi to take up her residence in the palace, she was absolutely ignored by Jehangir. It was the sight of her at one of the palace functions which revived the old love. At first she refused to marry Jehangir but at last after great persuasion she consented. She received the title of Nur Mahal or "Light of the Mahal"—a name which Thomas Moore has immortalised in one of his most beautiful poems "The Light of the Harem". Afterwards the title of Nur Jahan was conferred on her and she is known in history under that name. This lady, though only a queen consort, exercised a far greater authority than the Emperor himself; the coins bore her name, the nobles attended regularly to make their obeisance to her, and she always appeared seated at the window of the palace when the Sovereign showed himself to his people. The regular appearance of the emperor in the morning at the window to show himself to the public was one of the duties imposed on him Absence from the window generally awakened a fear that the king was no more. Nur Jehan was indeed a remarkable woman. A Persian by birth, she not only spoke, but wrote in Persian fluently, she also spoke the vernacular which had grown up in India. The author of the *Ikbal nama-i-Jehangiri* describes in the following quaint language her ascendancy and influence:

"Day by day her influence and dignity increased. First of all she received the title of Nur Mahal 'Light of the Harem' but was afterwards distinguished by that of Nur Jahan Begam 'Light of the World'. All her relations and connexions were raised to honour and wealth. No grant of lands was conferred upon any woman except under her seal. In addition to giving her the titles that other kings bestow the Emperor granted Nur Jahan the rights

of sovereignty and government. Sometimes she would sit in the balcony of her palace, while the nobles would present themselves and listen to her dictates. Coin was struck in her name with this superscription 'By order of the King Jahangir, gold has a hundred splendours added to it by receiving the impression of the name of Nur Jahan, the Queen Begam.' On all farmans also receiving the Imperial signature the name of 'Nur Jahan, the Queen Begam' was jointly attached. At last her authority reached such a pass that the king was such only name. . . . It is impossible to describe the beauty and wisdon of the Queen. In any matter that was presented to her, if a difficulty arose, she immediately solved it. Whoever threw himself upon her protection was preserved from tyranny and oppression ; and if ever she learnt that any orphan girl was destitute and friendless she would arrange a marriage for her, and give her a wedding portion. It is probale that during her reign no less than 500 orphan girls were thus married and portioned."

In archery she excelled many practised archers and was a splendid shot; Jehangir mentions in his Memoirs that once out hunting with him she killed a tiger at the first shot.

The whole culture of India, as a whole, bears the marks of her genius. She and her mother invented that beautiful perfume, the Otto of Roses; she introduced the fashion of long trains (the *Peshwaz*) for ladies' dresses and the table decorations at banquets were the outcome of her extraordinary faculty. Her father, Khwaja Ghyas, attained a very high rank under Jehangir and now lies buried on the other side of the Jumna over which the filial devotion of a daughter has raised a splendid structure known to all travellers who have visited Delhi by the title Itimad-ud-Dowla.

In Jehangir's time flourished two of the most noted painters that India has produced, viz. Abu'l Hasan, who bore the title of Nadir-uz-Zaman, and Mansur, whose title was Nadir-ul-'asr. In his *Wakiat* Jehangir speaks in the highest terms of their talents. He also gives an enumeration of the rules he introduced in order to improve the administration. Some were undoubtedly new ; others appear to be a re-enforcement of regulations made by Akbar. In the first place he prohibited all illegal cesses levied in any form or under any name by the officers of the State or Jagirdars. He abolished all transit duties on merchandise coming from Cabul to Hindustan or going from one Province to another. He

directed that the inheritance of Hindu as well as Musulman deceased persons should descend to their heirs according to their laws. In case no heir was forthcoming, officers specially appointed for the purpose were to take charge of the deceased's property and apply it in building mosques and *serais*, in repairing broken bridges, and in digging tanks and wells.

He prohibited all punishments on [*sic*] criminals by mutilation.

All forcible acquisitions of lands or any other property by Government officers was [*sic*] strictly prohibited. He ordered the erection of hospitals in all towns, at which physicians were to be employed at Government expense to attend the sick.

He also prohibited the public sale of intoxicants.

He set free all prisoners who had been in jail with or without trial for any length of time.

Another beneficent order deserves particular notice. From very early times it seems to have been the custom in Eastern Bengal, especially in the District of Sylhet, for the peasantry to make over their young sons after mutilation to their Raja's revenue collectors in payment of the Government dues. When Jehangir extended his dominions of these districts he peremptorily forbade this savage custom under the severest penalties.

Nur Jehan disappears from history on the accession to the throne in 1626 of the brilliant Prince Khurram the heir designate, who assumed the title of Shah Jehan.

Musulman culture in India attained its zenith under Shah Jehan. He had been brought up by Akbar's eldest wife, Rukaiya Begum, and since the fifth year of his age till Akbar's death he had been the companion and associate of his grandfather. He had imbibed all the high ideals of Akbar. Of a sterner mould than Jehangir, immediately on his accession (1628) the Court assumed a more sober aspect than it wore under his more easy-going father. Himself by no means a mean scholar, lavish in his patronage of learning, he gathered round him a galaxy of poets, scientists, litterateurs, and Musulman divines. In his treatment of the Hindus he did not deliberately offend the prejudices of the Musulmans and tried to hold evenly the balance between them, with the result that the best hearts of the empire gave their devotion to him. The history of Shah Jehan has been written by four contemporary

writers; we have in them a detailed account of the events of his reign. One of the most interesting among these is the work of a Hindu, Rai Bhare Mal, who held the post of *Diwan* under Dara Shekoh, the eldest son of Shah Jehan. He thus describes the prosperity of the country during Shah Jehan's reign:—"The means employed by the Emperor in these fortunate times to protect and nourish his people; to punish all kinds of oppressive evildoers; his knowledge of all subjects tending to the welfare of his people; his impressing the same necessity upon the revenue functionaries and the appointment of honest and intelligent officers in every district; his administration of the country, and calling for and examining annual statements of revenue, in order to ascertain what were the resources of the empire; his issuing stringent orders to the officers appointed to the charge of the Crown and assigned to promote the increase and welfare of the tenants . . . and constantly diverting his generous attention towards the improvement of agriculture and the collection of the revenues of the State—all these contributed in a measure to advance the prosperity of the Empire." This writer goes on to add that, owing to the great aptitude evinced by the Emperor towards the promotion of the national weal and the general tranquillity, the people had no motive "for committing offences against one another and breaking the public peace." Cases were always tried on the spot by the local authorities "in concurrence with the law officers." If any individual was dissatisfied with the decision he had a right of appeal to the Governor or the Diwan (Chief Revenue Collector associated with the Subadar for the civil and revenue administration of the District) or to the Kazi of the area who reviewed the matter and gave judgment "with great care and discrimination". If parties were still not satisfied, they appealed to the Chief *Diwan* or to the Chief Kazi on matters of law, and the cases were further enquired into. The Emperor's own Court was open every Wednesday for the hearing of plaints. But the chronicler says the Emperor often complained in his presence that in spite of all publicity not even twenty plaintiffs ever came forward to apply for adjudication of their cases by the Imperial tribunal. In his Court, the Emperor presided himself assisted by the *Sadr-i-Jehan*, the *Sadr-us-Sudur*, and a few other councillors.

Shah Jehan abolished the ceremony of bending low on the ground which Akbar, in imitation of the Hindu [illegible], had introduced into his court, and the usual mode of salutation by bowing was re-established accompanied by raising the hand not once, as was the rule in other Islamic countries, but three times in succession to the forehead.

The Hindustani language attained in this reign its dignity ; it now received the name of *Zaban-i-Urdui-Mualla*, the "language of the Imperial Camp" (Court) or shortly Urdu. *Urdu* is the same word as horde, and means army or camp. We all have heard of the "Golden Horde" which does not mean that it was a conglomeration of savage Cossacks, but the royal court of the Mongol sovereign.

Shah Jehan's queen, who lies buried under the beautiful dome of the Taj at Agra, was one of the sweet women of whom we have any record in Indian history. Her name before marriage was Arjumand and she was a niece of Nur Jehan. Prince Kharram [*sic*] had fallen in love with her at one of the Mina Bazars when they were only 16 and 14 respectively. They were betrothed shortly after, and Jehangir had himself placed the ring on his future daughter-in-law's finger. (The betrothal ceremony is called *Mangni* among the Musulmans of India and is performed among the upper classes with considerable ostentation.)They were married five years later when she received the title of "Mumtaz Mahal,"—"The exalted Lady". It was essentially a love marriage, so rarely known in the East. Mumtaz Mahal never left his side through all the vicissitudes Shah Jehan went through in his father's lifetime, and his devotion to her was an inspiring feature in his character. With her exquisite beauty she combined an incomparable sweetness of nature and gentleness of disposition. She built and endowed several mosques, Khankahs, colleges and alms-houses. Her charity was unlimited and both Musulmans and Hindus received her bounty. Poor girls and helpless orphans were the objects of her special benefaction. She provided dowries for poor people's daughters. Her charity made her name a household word in the Empire of Shah Jehan, and Mumtaz Mahal was soon converted or corrupted into Taj Mahal. And it is by this name that the beautiful mausoleum her bereaved husband raised over her grave

is now known. To describe the Taj is absolutely impossible; it symbolises the poetry of architecture and embodies in marble the undying love of a king.

All Shah Jehan's children were born of Mumtaz Mehal—four sons and two daughters; of the latter, the eldest, Jehanara, otherwise called Kudsiya the "venerated" Badshah Begum was a woman of great attainments. Her letter to Aurungzeb to recall him to the duty he owed to their father is a composition of rare merit. She failed. The rest is a matter of history. Aurungzeb, taking advantage of Shah Jehan's illness, marched against his brother Dara Shakoh who had been nominated by Shah Jehan as his successor, defeated him, deposed his father and seized the throne of Delhi (1165-7) [*sic*]. Shah Jehan's reign extended to thirty-two years. He lived ten years longer as a state prisoner of his unfilial and ungrateful son.

Ali Mardan Khan, flying from Persia, took refuge in the Court of Shah Jehan and attained high distinctions. He built under Shah Jehan's instructions the splendid Bazar at Cabul which was afterwards destroyed under Lord Ellenborough's orders. He also constructed "a canal from the place where the river Ravi descends from the hills into the plains to conduct the water to Lahore" which brought into cultivation a large tract of country.[1]

Aurungzeb's reign was a distinct setback to Musulman culture. It meant the revival of all that Akbar and Shah Jehan had endeavoured to remove. Musulman development flowed back into the old channels. The ultra orthodox historians have lauded his extreme piety, his religious zeal, his implicit obedience to the *Shari'at* (the sacred law), but they have omitted to notice that in fifty years he undid the work of a century; he re-imposed the capitation tax on Hindus, which alienated them from the throne, pulled many of their temples, and completely estranged the Rajput Rajas, who since Akbar's time had been the great supports of the Mogul dynasty. He was undoubtedly an able man, astute, clever and unscrupulous. His letters to his father are instructive and show the peculiarity of his nature. His letters to his sons and

1. Shah Jehan built in Delhi the Jumma mosque (the Cathedral mosque), the Pearl mosque (a real architectural gem), the Dewan-i-Khas and the Dewan-i-Am, besides other buildings in the capital and elsewhere.

nobles are regarded as models of perfect style, and with the letters of Abu'l Fazl and Niamat Khan 'Aali, a courtier, satirist and wit of Shah Jehan's, are still studied as models of a perfect style.

One of Aurungzeb's daughters, Zeb-un-nissa Begum, was an accomplished Persian and Arabic scholar. Her poetry has a pathos which it is impossible to get out of the mind. One couplet I can never forget :

"I have experienced such cruelty and harshness in this land of Hind,
"I shall go and make myself a home in some other land."

With her assistance and under her directions several works on Musulman jurisprudence and traditions were translated from Arabic into Persian. She is said to have died at the early age of twenty-six.

Aurungzeb died in 1707 after a reign of fifty years. One of his last letters to his son Muazzam, who succeeded him on the throne after a struggle with his brothers, of which Aurungzeb had set the example, shows the mental sufferings of the old Emperor at the collapse of all his ambitions, and the remorse to which he was doomed. Muazzam, who assumed the title of Bahadur Shah, a wise, generous and mild sovereign, tried to undo the harm his father's narrowness of vision had done to the empire but it was too late. Besides, his reign was too short. The balance of power which the Musulman States of the Deccan had maintained in Southern India was broken by the victories of Aurungzeb over the Deccan kings. Their destruction helped the rise of the Mahrattas—the "Huns of India". Aurungzeb must have felt in his last moments that it is easier to destroy than to build. The Mahratta marauders issued from their mountain fastnesses to plunder, pillage, and kill. After Bahadur Shah's death Indian history is a nightmare. Delhi, the ill-fated city, as it is called by the people, was sacked three times; in 1739 by Nadir Shah, a second time by the Mahrattas and a third time by the Afghans under Ahmed Shah Abdali. Whatever of Musulman culture remained was transported to Lucknow, the seat of the Nawab

Viziers of Oudh. Towards the close of the eighteenth century and the beginning of the nineteenth Islamic culture began to revive. The success of the British arms against the Mahrattas ensured peace and order in Northern India ; and when Lord Lake in 1802 drove out the freebooters from the capital and the Emperor formally delegated the imperial authority to the East India Company representing the British Crown, the Musulmans felt that a legitimate authority sufficiently strong to protect them in the enjoyment of their rights was in possesion of the country and that it was held by the Viceroys of the Emperor. The early English officials showed themselves in sympathy with them, encouraged their literature, were proud to hold the titles granted by the Emperor[2] and did not disdain their Court ceremonies. Musulman learning which had gone under the break-up of the Mogul Empire, began to revive. Historians, jurists, poets and other men of accomplishment made their appearance. This patronage of Musulman culture by British officials lasted until the time of Lord William Bentinck, the Governor-General who saw no beauty in the Taj and was with some difficulty dissuaded from pulling it down.

What the condition of Delhi was towards the close of the eighteenth century is best described by the poet *Sauda* who died at Lucknow in the reign of Asaf-ud-Dowla. In his *Kasidai-Shahr-Ashob* he bewails the fate of this city,—the home of culture, the abode of learning, the shelter of the poor. Apostrophising the city by the name which it bore after Shah Jehan beautified it with those exquisite architectural works which still delight the eyes of the foreign traveller—"Shah Jehanabad"—"The city of Shah Jehan" —he says.

"Jehanabad never deserved this cruelty
"But perhaps sometimes this city was the heart of a lover,
"That the lover's image has been wiped out as false."

Sauda, Atesh and several other writers and poets figure in Shuja-ud-Dowla'a and Asaf-ud-Dowla's time. The Persian traveller, poet and philosopher Hazin lived in Lucknow and enjoyed the hospitality of Asaf-ud-Dowla. We know something from

2. For example, General (Charles) Burt bore the title of Itikad-ud-Dowla Nasir-ul-Mumalik. I forget now the titles conferred on Clive and Lord Lake.

English writers of this ruler's character and habits, but we learn more of his support of learning from Musulman authors.

The best history of Musulman India after Aurungzeb was written in Persian in Warren Hasting's time by Nawab Syed Ghulam Hosain Khan Taba-Tabai. He was a distinguished scholar and was held in high esteem by his English friends. He wrote also some poetry in the same language. The example, however, of Sauda gave a great impetus to the cultivation of Urdu, and thus, whilst historical and other literary works continued to be written in Persian, Urdu became the vehicle for poetical thought; Sauda's Urdu is more Persian than Urdu—often in one couplet alone you can barely find more than two or three pure Urdu words. His contemporary Atesh was less addicted to this pedantism ; Zouk, who follow them, did great service to the Urdu language. In the 'fifties before the dark days of the Mutiny, Delhi also witnessed a great revival. The unfortunate Bahadur Shah II, who died in exile in Rangoon, was a learned man, retiring in his habits, and devoted to the company of scholars and poets. One of the most famous among them was Asad-ullah Khan surnamed *Ghalib* who enjoyed the respect equally of Hindus, Mahommedans and Christians.

In recent times there lived at Lucknow some noted poets and litterateurs—men whom it was both a pleasure and a profit to know—Dabir, and the three gifted brothers whose poetical apellations were derived from a single root-word *Uns* or friendship. The two eldest were famous as Anis and Monis. Two accomplished scholars who exercised great influence on Musulman thought about this period were Moulana Moulvi Syed Keramat 'Ali al-Husaini al-Jounpuri and Shams-ul-'Ulama Moulvi Kabir-ud-din Ahmed. The Syed was indeed a remarkable man. He left his home in Jounpur at the age of nineteen to study in Persia. He spent there some eighteen years, studying at various centres of Musulman learning, and meeting various eminent scholars and distinguished men in the course of his travels. He was a friend of Arthur Conolly, the well-known traveller, whose life he saved twice in Turkestan. He enjoyed the friendship of Amir Dost Mohammed Khan of Cabul. Soon after his return to India, in 1838, he was made Mutwalli or Governor of the Mohsin Endowment at

Hooghly, which office he held up to his death in 1876. His Sunday breakfasts brought together some noted Muslim scholars, with one or two English friends. Among these, Mr. Montriou, a well-known barrister, was the most intimate. Whatever knowledge of Arabian philosophy I possess I owe to my revered friend Syed Keramat Ali. Moulvi Kabir-ud-din Ahmed is best remembered by his collaboration with Col. Nassau Lees in editing the old Musulman works on law and history.

In our own times Moulvi Zaka-allah was written a comprehensive history of India comprising the Hindu, Mahommedan and British periods. It is a work of great merit and written in a critical historical vein. Happily we have still living amongst us men whose names are honoured among all Musulmans as embodying the culture of Islam; Moulvi Altaf Hosain Khan Hali, Moulvi Mohammed Hussain Azad, the author of the *Durbari-i-Akbari*, [*sic*], Moulana Shibli,[3] my highly respected friend Shams-ul-'Ulama Moulana 'Ali Mohammed Shad, whose great merits were not long ago recognised by the Indian Government, are known to many English officials.

The poems of Maulana Hali still help to galvanise into some enthusiasm for the learning and culture of his forefathers, the Musulman youth whose blood has been chilled by Anglo-Mahommedan education.

Shiah divinity is still cultivated by learned scholars who inhabit the well-known quarter of Lucknow called Feringhi [*sic*] Mahal; whilst Deoband for years past has been the centre of Sunni theology.

No one to whom it has been vouchsafed to have a glimpse of the polished courtesy and dignified intercourse of the Musulman gentry of the old school, that have either passed away or are fast passing away, will ever fail to regard it as a privilege. To me it is a memory to cherish. The sight of those dignified men, with their courtly manners, sitting together conversing in well-modulated tones which never rose to a noise, on history, poetry, literature, and Musulman divinity, would be a revelation to many

3 Alas both Maulana Hali and Maulana Shibli have died since the article was written.

Western critics. Each man was attended, among other servitors, by his own *hukka-bardar* ; the reception of each guest as he arrived was dignified, in cases of intimate friends genial. As he took his seat, the *hukka-bardar* spread first the piece of brocade on which the *hukka* was placed, and bending on his knees handed to his master the gold and silver mouthpiece, with inimitable grace. The assembly, which often contained a sprinkling of young men of a serious turn of mind, with a long row of *hukkas* and their silver *chilams*, formed an agreeable sight.

Poetical assemblies were still held twenty years ago. But now debating clubs have taken their place. In the first half of the nineteenth century the *Mushairas*, as they were called, were often attended by one or two English officials who, with their knowledge of Persian and Urdu, were able to follow and appreciate the poems that were recited. The name of Mr. Douglas, who was Collector of Bankipore in the 'fifties, is remembered with respect.

The result of the change in Musulman culture within the last twenty-five or thirty years remains to be seen. But I cannot help regretting the passing of the old order. Had it been possible to engraft the best part of European culture on the remains of Islamic culture, the awakening of Musulman India would cause no misgiving. We can only watch anxiously the present development and trust that the hopes of helpers will be justified by the fruit borne by Anglo-Mahommedan culture.

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THE TASK BEFORE THE INDIAN STATUTORY COMMISSION

[Letter to *The Times*, 4 November 1927]

Your admirable article in yesterday's issue of *The Times*, headed "The Rapporteurs," deserves full consideration both by British administrators and Indian politicians. I venture to think that the writer whom you quote is right in saying that the problem of the future constitutional development of India is more "international than national". I also think that he is justified in pointing out the method of discussion at Geneva as a useful model for the Royal Commission in its inquiry into the progress made by India within the last decade towards advance in the direction of independence and real self-government.

Although I am in agreement with the Maharajah of Burdwan on many points in his letter, I cannot help feeling that in advocating a new advance in constitutional development he loses sight of the fundamental difference that exists between the two great communities inhabiting India.

The causes of the communal feuds, which since the initiation of the Reforms have disfigured the history of India, appear to me to have been misunderstood. The British Government is, I fear, inclined to follow the line of least resistance ; one section is more articulate than the other and naturally the impression has gained ground that the Moslems are ignorant and obstinate and opposed to any unity of action. It is not that they are opposed to constitutional advance, but they object to have [*sic*] their civil and political rights left in the background. Unfortunately the larger community has by its numbers obtained the practical administration of the country ; the other is apprehensive of losing every

political right in the growth of Nationalism among their rivals.

This seems to me the real problem which the Royal Commission will have to solve , and unless that is solved satisfactorily and with justice to every section, the country will, I fear, remain in the same disturbed condition as now.

AMEER ALI

November 2 [1927]

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MEMORANDUM TO THE INDIAN STATUTORY COMMISSION JUNE 1928

[*Ameer Ali Papers*]

2, Cadogan Place,
London, S.W.I.
8th June, 1928

To
The Secretaries,
Indian Statutory Commission.

Sirs,

1. I respectfully submit that in a country like India constitutional advance, which is not the result of national evolution but is granted by the suzerain power, should keep in view the rights and interests of all people inhabiting the soil. This principle, within recent years, has been overlooked; and many concessions have been made in response to demands enforced by threats or clamour of sections of the people claiming to represent the whole.

2. In 1909 His Highness the Aga Khan took to Lord Minto, then Viceroy of India, a deputation of leading Mohammedans to represent the difficulties under which their community laboured with regard to the public services, and the apprehension they felt of being swamped if no provision was made for their separate representation on the new councils and other electoral bodies.

3. Lord Minto appreciated the difficulties and said in reply to the Deputation as follows:

"As your Viceroy I am proud of the recognition you express of the benefits conferred by British rule on the diverse races of [*sic*] many creeds who go to form the population of this Continent. You yourselves, the descendants of a conquering and ruling race, have told me to-day of your gratitude for the personal freedom, the liberty of worship, the general peace, and the hopeful future which British administration has secured for India.

"The pith of your Address, as I understand it, is a claim that, in any system of representation whether it affects a Municipality, a District Board, or a Legislative Council, in which it is proposed to introduce or increase an electoral organisation, the Mohammedan community should be represented as a community. You point out that in many cases electoral bodies as now constituted cannot be expected to return a Mohammedan candidate, and that if by chance they did so, it could only be at the sacrifice of such a candidate's views to those of a majority opposed to his own community, whom he would in no way represent, and you justly claim that your position should be estimated not merely on your numerical strength but in respect to the political importance of your community and the service it has rendered to the Empire. I am entirely in accord with you. Please do not misunderstand me; I make no attempt to indicate by what means the representation of communities can be obtained; but I am as firmly convinced, as I believe you to be, that any electoral representation in India would be doomed to mischievous failure which aimed at granting a personal enfranchisement regardless of the beliefs and traditions of the communities composing the population of this Continent. The great mass of the people of India have no knowledge of representative institutions."

4. The political and economic depression of the Mohammedans is a matter of historical interest, and illustrates, in some degree, the wavering policy of Government. Up to the year 1865 the Government maintained a fair balance between the Moslems and the Brahminical people. A sharp digression took place then and the Moslems found themselves gradually ousted from the public services by their more adaptive compatriots.

5. In 1882 the position had become most acute and I ventured to draw public attention to the subject in the June number of the "Nineteenth Century." This was followed by a representation to Lord Ripon, then Viceroy of India, from the Central National Mohammedan Association.

6. In 1885 the Government of India issued a Resolution which

recognised the rights of the Mohammedan people to a proper share in the public services, and equal facilities in every department. The Government of India's Resolution of March, 1885, accepted the principle, but in practice the rule has become a dead letter.

7. In order to meet the objection that Mohammedan candidates for the public services had not passed the same number of examinations as their rivals belonging to other nationalities, I suggested and still venture to suggest, that separate rosters should be created for the candidates belonging to both communities, so that they should not be conjoined for purposes of selection.

8. In 1908 and 1909, owing to the avowed intention of Lord Morley to abolish the separate representation of the Mohammedan people in the councils and other public bodies, the situation became most acute. There was great ferment among the Moslems and I was requested by the leaders to represent to the Right Honourable the Secretary of State the necessity for maintaining a balance between the two communities. I saw Lord Morley and at his suggestion introduced a Deputation to place the whole matter before him. In the result the separate electorates were maintained. I beg to enclose herein a copy of the Proceedings.

9. As a measure of public policy I submit that the Mohammedans should be maintained in the full possession of their rights in the benefits of the *Pax Britannica*. Adequate representation in the public services is as necessary to the progress and prosperity of the community as an equal share in the representation on public bodies. Nothing should be allowed which might hinder the free election of their own representatives, otherwise constitutional development would become in their case a farce.

10. I do not need to dwell on the fact that India is not a homogeneous country. It is a vast continent composed of numbers of communities differing from each other in ideals, traditions, religion and language. What is suited for one is not suited for the other. The Brahminical people are better equipped and better organised and possess more means than the others. Naturally they expect from the concessions the British Government proposes to make to India, practical dominance over the non-Brahminical peoples.

11. One of their chief demands is the abolition of the separate

electorates which the Mohammedans have enjoyed since Lord Morley's recognition of the principle. As many competent observers have recognised, the communal feuds which are now rampant all over India owe their rise in a large measure to the desire of one community for predominance over the others.

12. In view of the diversity that exists between the two elements, equalisation of seats on a *joint* electorate will never answer and will always lead to bickering and disputes.

13. The following statement in Sir Walter Lawrence's book, "The India We Served," illustrates the gulf which still divides the two peoples, and shows conclusively the need for separate constituencies, and the separation of the lists for the selection of Mohammedans for the public services. The passage in page 209 of that book is illuminating. He writes with enthusiasm of the late Maharajah Sir Pertab Singh of Idar, but adds as follows :

"Tolerant as he was, he hated Moslems. But I never realised the depth of his hatred till I was leaving India. Sir Pertab had come up to Simla to be present at a farewell dinner Lord Cuzon gave to my wife and myself the night before we left, and after dinner Sir Pertab and I sat up till two in the morning, talking of his hopes and ambitions, and one of his ambitions was to annihilate the Moslem people in India. I deprecated this prejudice and mentioned Moslem friends known to both of us. 'Yes,' he said, 'I liking them. too. but very much liking them dead.' I have often thought of this conversation. One may know Indians for years and suddenly a time comes and they open their hearts and reveal what is in them. Sir Pertab, good Hindu and Rajput as he was, had travelled and had rubbed shoulders with men of all countries. He knew the English well ; he had met many nationalities--he had a kind of cosmopolition civilisation. But down in his generous heart there dwelt this ineradicable hatred of the Moslems."

14. Having regard to the facts as they stand, the Commission could hardly recommend either a joint electorate or a joint list for the public services.

15. Speaking for the seventy millions of Mohammedans who acknowledge allegiance to the King, I consider it would be an unhappy day for India if the demand for the abolition of the separate electorates is conceded by His Majesty's Government. The country would be plunged into internecine conflict and the fair

name of England for equal justice would be tarnished. Joint electorates would, I have no doubt, only perpetuate the present disorders and strife.

I remain,

Yours faithfully,

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ISLAMIC JURISPRUDENCE AND THE NECESSITY FOR REFORMS

[*Islamic Culture*, October 1928, pp. 477—84]

The principle of development was embodied in the law; and legal interpretation was regulated by the necessities of the time (*maslihat-ul-waqt*).

The difference in the status of women under the English common law and the laws of Islam, is worthy of note. In England until some fifty or sixty years ago a married woman could possess no property and exercise no control over her earnings. Married or maiden she had no civil rights: she could not sue in her own name; her *couverture* was a feudal bondage in disguise. In Islam a woman possessed and exercised all the rights which a man did. She was even entitled to hold judicial offices.

The Arabs in the time of the Prophet were either governed by long existing customs or by rules they had adopted from the Jews who were settled in their midst. Any attempt to make a complete sweep of the customs that were in force among the people of Arabia would have been an economic calamity. The Prophet, therefore, left to the growth of spiritual and moral consciousness the evolution of the social rules in accord with the times. Thus many archaic customs and old rabbinical prescriptions were tacitly allowed, though opposed to the spirit of the new Dispensation. To them I will refer later.

The first school of Muhammadan Law was established about the middle of the seventh century of the Christian era, by the apostolical Imam Ja'far as-Sadiq who lectured at Medina from a philosophical standpoint, on the rules and principles of the Muslim Law.

Abu Hanifah, the founder of the first distinctive Sunni school of interpretation, was a pupil of the Imam, and the liberalism of his views was in conformity with the enunciations of the Medinite school. His followers are called *Ahl-ur-rai-wal-kayas* ("people of ratiocination").

Abu Hanifah was followed by three other legists Shafi, Malik and Ibn Hanbal. Their schools are decidedly more archaic.

Abu Hanifah's two disciples, Abu Yusuf and Muhammad, were distinguished lawyers who have left their mark on the pages of Islamic history. Abu Yusuf was the chief *Qazi* of Bagdad under the Caliph Harun-ar-Rashid. His work called the *Kitab-ul-Kharaj* forms a valuable asset in the annals of Islamic jurisprudence.

The development of Muslim law moved along two lines. The text-writers wrote and commented on the precepts of the Prophet from the theoretical point of view. The law was discussed in a spirit which appeared to them as most consistent with the requirements of the people, and the necessities of the times.

On the other hand the *muftis* (jurisconsults) delivered their dicta (*fatawa*) which were accepted as rules for the decision of the particular cases arising between the parties, or requiring decision by the *Qazis*. These dicta became precedents for the guidance for their successors.

The exposition of jurists commenced almost at the same time as the first text-book--about the tenth century of the Christian era.

Thus the law continued to grow until we come to the eighteenth century. Aurangzeb Alamgir, who ruled over India towards the end of the seventeenth century, desirous of having a digest of the whole Islamic jurisprudence, confided the task to a body of jurists distinguished for their learning and knowledge of the law. He in fact did exactly what Napoleon accomplished for France and Europe in general in later times. The digest compiled by these jurists is called after the Emperor, the *Fatawai Alamgiri*.

In India this is the standard work on the principles of the Sunni Law and occupies the same position as the *Mabsut* in the Shiah world

Besides the *Fatawai Alamgiri*, other Digests were promulgated from time to time. The *Fatawai Kazi-Khan* was compiled in the eleventh century. These Fatawa illustrate progressive advance in

the juridical conception and social conditions.

The Muhammadan jurists were not unaware of the rule of *exabundante cautela* (*mazid-ul-ihtiat*) as many of their enunciations testify. The sacredness of the marriage-tie is thus described by the *Ashbah wan-Nazair* compiled in the thirteenth century of the Christian era:

"Marriage," it says, "is an institution ordained for the protection of society, and in order that human beings may guard themselves from foulness and unchastity. Marriage when treated as a contract is a permanent relationship based on mutual consent on the part of a man and a woman between whom there is no bar to a lawful union."

Having regard to the sacredness of the marriage contract, the facility permitted to dissolve the union may seem strange. To understand the anomaly it is necessary to take a brief survey of the condition that existed in most countries when the Prophet of Islam commenced his reforms.

Among all the nations of antiquity the power of divorce was regarded as a natural corollary to the marital right. Originally, this power was exclusively vested in the husband, and the wife was under no circumstances entitled to claim a divorce. The progress of civilisation and the advance of ideas led to a partial amelioration in the status of women. They, too, acquired a qualified right to dissolve the marriage-tie.

Under the old Rabbinical Law a husband could divorce his wife for any cause which made her distasteful to him. Among the Athenians as well as the early Romans, the husband's right to repudiate the wife was an unrestricted as among the Isrealites.

In later times, among the Hebrews, the Shammaites to some extent modified the custom of divorce by imposing certain restrictions on its exercise, but the school of Hillel upheld the law in its primitive strictness.

At the time of the Prophet's preachings, the Hillelite doctrines were chiefly in force among the Jewish tribes of Arabia, and repudiations by the husbands were as common among them as among pagan Arabs. His rules marked a new departure in the history of Eastern legislation. He restricted the power of divorce possessed by the husbands; he gave to the women the right of obtaining a

separation on reasonable grounds; and towards the end of his life he went so far as practically to forbid its exercise by the men without the intervention of "arbiters" or a judge. He pronounced a divorce to be the most detestable before God of "all permitted things, for it prevented conjugal happiness and interfered with the proper upbringing of children". The permission, therefore, though it gave a certain countenance to the old customs, has to be read with the light of the lawgiver's own words.

Great divergence, therefore, exists among the various schools regarding the exercise of the power of divorce by the husband of his own motion and without the intervention of the judge. A large and influential body of jurists regard *talaq* emanating from the husband as prohibited except for necessity, such as the adultery of the wife. Another section, consisting chiefly of the Mutazilites consider *talaq* as not permissible without the sanction of the *Hakim-ush-shara'*, viz. the Judge administering the Muslim Law. They consider that any such cause as may justify separation and remove *talaq* from the category of being "forbidden" (*mamnu'*) should be tested by an unbiased Judge; and, in support of their doctrine, they refer to the words of the Prophet already cited, and his direction that in case of dispute between the married parties "arbiters" should be appointed for the settlement of their differences.

The Hanafis, the Malikis, the Shaf'eis and the bulk of the Shi'ahs hold *talaq* to be permitted (*mubah*) though they regard the exercise of the power without any cause to be morally or religiously abominable.

The *Radd-ul-Muhtar* after stating the argument against the proposition that *talaq* is unlawful proceeds to say:

"No doubt, it is forbidden, but it becomes *mubah* (permissible) for certain outside reasons and this is the meaning of those jurists who hold that it is really forbidden. And its being *mubah* arises from the necessity of release (from the marital tie) in certain cases. Therefore, when there is no reason whatsoever, there is no necessity for release; and if *talaq* is given without any reason, that is ingratitude to God, and the giving of unnecessary and gratuitous trouble to the woman and to the children. . . . If there is no legal cause for *talaq* such as would render it *mubah*, then it

must be considered unlawful."

The author of the *Multeqa* (Ibrahim Halebi) is more concise. He says:

"The Law gives to the man primarily the faculty of dissolving the marriage, if the wife by her indocility or her bad character renders the married life unhappy ; but in the absence of serious reasons, no Musulman can justify a divorce either in the eyes of religion or the law. If he abandon the wife or put her away from simple caprice, he draws upon himself the divine anger, for the 'curse of God,' said the Prophet, 'rests upon him who repudiates his wife capriciously'. . . . *Talaq* is permitted only when the wife by her conduct injures the husband . . . and it is *wajib* (obligatory) when the husband cannot fulfil his duties, as when he is impotent or an eunuch."

In the second century of the Hejira, under the Ommeyades an irregular form of divorce was introduced in the Islamic system, which recognised none of the checks imposed by the Lawgiver The Shiahs and the Malikis hold irregular divorce (the *talaq-ul-bida't*) to be unlawful whilst the Hanafis and Shaf'eis agree in holding it to be effective although in its commission the man incurs a sin.

Pre-Islamic institutions insisted on no formula for severing the marriage-tie, and as there was no check on the irresponsible powers of the husband, a simple intimation from him to the effect that the marriage was dissolved was sufficient. In Islam even among the schools which recognise the validity of a divorce without the intervention of judicial authority, there are several conditions for the exercise of the power by the husband. The object of these conditions is to protect the wife from being cast off at the mere caprice of the husband. They also give to the woman the right to obtain a dissolution of the contract under certain circumstances. The formula which is most approved gives to the husband a respite to realise the effects of his conduct and for the appointment of "arbiters" to intervene in conjugal quarrels.

Another important point requiring earnest consideration is the question of dower which is customary in Muslim marriages. In India, among affluent families, the settlement in favour of the wife is never in accord with the means of the husband or the position

of the wife; it is usually fixed on a fancy basis and is called *Mahr-ta'jil*. It is often fixed for what is called "glorification". In Oudh the Courts, under Section V of the Oudh Laws Act (XVIII of 1876), have the power of reducing the amount of dower. The Section declares that :

"Where the amount of dower stipulated in any contract of marriage by a Mohammedan is excessive with reference to the means of the husband, the entire sum provided in the contract shall not be awarded in any suit by decree in favour of the plaintiff, or by allowing it by way of set-off, lien or otherwise to the defendant; but the amount of the dower to be allowed by the Court shall be reasonable with reference to the means of the husband and the *status* of the wife "

And this rule is applicable whether the suit to enforce the contract is brought in the husband's lifetime or after his death. As the widow has a lien on the property of her husband, for her dower, the question has often arisen to what extent she is entitled to obtain possession of the property of her husband in lien of her claim. Great injustice is often done to the children if the whole property is made over to the widow for the satisfaction of the dower, and the children are left paupers.

In other parts of India, however, the Courts have no such power; and in cases of dispute award the whole dower to the wife. If she is the second wife, the entire settlement comes to her and reduces to poverty the children of the first marriage. It is a scandalous perversion of the law and leads to the pauperisation of the community. I recommend strongly that the Muslim community ought to apply to the legislature for the extension of the Dower Act of Oudh to the whole of India.

Legitimacy under the Islamic Law, as under the English Law, follows, as it is called, "the bed". Every child born during the subsistence of the marriage is considered legitimate. The Muhammadan Law recognises three kinds of union; one is called a valid marriage: the second is called an invalid marriage, and the third is a void marriage.

For example if a man purports to marry a woman within the prohibited degree, whether it is by mistake or otherwise, the

marriage is absolutely null and void and the children are illegitimate.

In the case of an invalid marriage the position is different. In a union between two persons of opposite sexes between whom there is no bar to a contract of marriage, if the marriage is in fact contracted, it is only *invalid*. For example if a man married a woman who worships idols, the marriage is *invalid* because she may at any time adopt Islam, or Judaism or Christianity, which are "Scriptural" religions. The same rule applies to a marriage of a man to two sisters simultaneously or one after the other in the lifetime of the first. Marriage with a second sister is not permitted in Islam but it can be legitimated by the death or divorce of the first sister. In all these cases the children are absolutely legitimate. The Musulman Law does not visit the sins or mistakes of the parents on the children.

The High Court of Calcutta under a misapprehension of the Musulman Law has pronounced a marriage with two sisters whilst both are living as "void" as a marriage with a mother-in-law or daughter-in-law. This is wholly wrong and ought to be set right either by judicial declaration or by a legislative enactment.

I will give one more instance of the mistakes that frequently occur in judicial expositions in India. A section of the Shi'ahs recognise the validity of temporary unions, in the same way as has become common in the West. In temporary marriage called *Mata'*, the Shi'ah Law does not allow the power of divorce to the husband. There are certain other restrictions which it is not necessary to specify. But the Shi'ah legists of the Akhbari School have had recourse to a device for the purpose of throwing off the shackles which the earlier jurists had imposed upon the powers of a husband. It is said by them that, as a creditor can release the debtor without his consent from the obligation of paying the debt, the husband, being a creditor, can release the wife from the marriage contract. This is combated by the earlier jurists. The celebrated author of the *Mabsut* and other great expounders of the Shi'ah Law, even the chief Mujtahid of Teheran, have pronounced that the consent of the wife is essential to the validity of a release (*ahwat qabul zaujeh*). The contrary view was actually adopted by the High Court of Calcutta in the case of *Kamar Kadar* v. *Ludden*

Sahiba.[1] One would have thought that, having regard to the difference of opinion among the Shi'ah Lawyers, a British Court of Justice would adopt the view most conformable to "justice, equity and good conscience". The doctrine of the ***Sharh-ul-Luma***, however, has received judicial recognition in the above case. The facts were as follows : the plaintiff married the defendant, a young unmarried woman of respected parentage, by the *mata'* form for a period of fifty years. A few weeks after the marriage he abandoned her and, on her suing for maintenance, alleged that he had married her for two months and a half only. This was found to be untrue, and he was ordered, under the provisions of the Criminal Procedure Code, to pay the maintenance. He then brought a suit to have it declared that the marriage relationship had been dissolved by his "giving up the term" and that, consequently, he was not bound to maintain the wife. There was no allegation of infidelity or misconduct against her. The defendant pleaded that, under the law of her sect, the husband could not dissolve the union, as alleged by him, of his own motion, and that even if he could do so he was not absolved from his liability to maintain her under the contract of marriage. After a varied fortune the case came up to the High Court of Calcutta, and the learned Judges there held that the *Mabsut was an old work and could not possibly have been known to the parties, but that the Sharaya-ul-Islam was a later work and better known in India ; and, therefore, more binding* ! And they accordingly held, with the aid of the gloss of the *Sharh-ul-Luma*, that the husband, though he has no power of divorce may still divorce his wife by giving up the term ! *They did not decide the other question raised by the defendant that the husband was not absolved from his liability to maintian her by virture of the agreement entered into at the time of marriage.*

It seems to me that the time has arrived for the Musulmans of India to move the Legislatures for the enactment of a rule that marriages should be dissolved only when a Court of Justice especially empowered to deal with matrimonial disputes is of opinion that there are adequate reasons for dissolving the tie.

1. (1886) I. L. 14 Cal. 276.

PART THREE

Memoirs

MEMOIRS

[*Islamic Culture*, October 1931, pp. 513—542; January 1932, pp. 1—18; April 1932, pp. 163—182; July 1932, pp. 333—362; October 1932, pp. 503—525]

Family Traditions

We trace descent from the Prophet through his daughter Fatima. Our ancestor, the eighth apostolic Imam, Ali surnamed Al-Raza, is buried at Meshed the principal city of Khorasan in N. E. Persia. His mausoleum is venerated by all followers of the Faith attached to the house of Mohammed. The sanctity of the city finds expression in the following Persian couplet immortalised by the great Central-Asian traveller Arthur Connolly:

"Meshed is the most excellent place on the face of the Earth,
For there doth shine the Light of the Lord of the World."[1]

The descendants of the Prophet in the West (North Africa and Arabia) bear the title of Sherif. In Persia and India they are called "Ameer" and "Sayed" both conveying the same meaning. It is analogous to the word *Signor*, used in the middle ages of Europe to designate a noble.

The head of the sect of the Ismailias who profess esoteric doctrines bore the title of "Shaikh al Jabal" (the "Old Man of the Mountains"), and was commonly addressed by his followers as "Syedna" (our Lord). This was corrupted by the Crusaders in the 12th century into "Sidney".

In modern times the word "Syed" is used to signify deference and respect to a descendant of the Prophet, as also "Sidi" and "Syedi" both expressions meaning "my Lord".

1. "Mashhad afzaltar-i-rui Zamin-ast Ke anja nur-i-Rabb-ul al-Amin ast."

A large number of the Prophet's descendants settled in the neighbourhood of Meshed when Ali Al-Raza came to Khorasan on the invitation of the Abbaside Khalif Al-Mamun.

In later centuries many members of our family held high office under the Sufi Monarchs: one was a grand-chamberlain to the King who ruled over Persia shortly before the Afghan invasion, another was the Chief Mujtahid (Religious Chief) at Qum, a City in Persia famous for its scholars and the fanaticism of its inhabitants.

The story of my family settling in India is not without interest. In 1739 the conqueror, the cruel Nadir Shah, had made himself master of Persia. He had beaten the Turks in the West and the Russians in the North. The Timuride of Mogul Emperor who ruled over India about this time was Muhammad Shah. His control over the turbulent Feudatories who acknowledged his sovereignty was nominal. Their quarrels and aggressions supplied Nadir Shah with a pretext for an attack on India. In the army organised for the invasion, the Khorasani contingent from Nadir's own province was under the command of Ahmad Afzal Khan, our ancestor.

The tale of the massacre in Delhi and the sack of the glorious city of Shah Jehan under the order of Nadir Shah is known to most readers of Indian history. Family traditions, however, give a somewhat different account of the cause which led to the dreadful occurrence. The story is that on its capture, Nadir Shah pledged his word to the Mogul Emperor that his soldiers would not be permitted to commit any excesses towards the inhabitants and would abide solemnly by the truce concluded between them. The temptation to the mob to assault the invaders was hardly resisted and the "Badmashes" (hooligans) of the city appear to have attacked straggling parties of Persians. Stray Persians were also murdered in the streets. When this was communicated to Nadir Shah, his fury knew no bounds, and he gave order for an indiscriminate massacre of the inhabitants. Blood flowed through the city and the innocent suffered with the guilty. Every house which showed the smallest sign of an attack on the Persians was sacked and destroyed. Muhammad Shah threw himself at the feet of Nadir Shah, and begged for mercy for his subjects which, at the intercession of some of the leading Persian nobles, Nadir conceded

to the people of Delhi.

When Nadir Shah was leaving India with the Peacock Throne of the House of Babar and the accumulated wealth of Delhi, the Mogul Emperor persuaded Ahmad Afzal (my grandfatherr's grandfather) to enter his service. The Khorasani soldier obtained without much difficulty the sanction of the Persian monarch to the transfer of himself and the remainder of his seven thousand horsemen to the service of Muhammad Shah.

In the struggles that followed the departure of Nadir Shah, the Mahrattas found their opportunity; they made themselves masters of Delhi and of the weak Emperor.

Ahmad Afzal and his son Muhammad Tahir defended the capital but were overthrown, and Muhammad Tahir was forced to take refuge in Lahore. In the meantime Ahmad Afzal died. At Lahore Muhammad Tahir received an invitation from the brilliant Shuja-ud-Daula who had succeeded on the death of his father, Safdar Jang, to the Rulership of Oudh. Muhammad Tahir accepted the offer and settled in Mohan.

The descendants of the Prophet (the Syeds) have ever since their arrival in India always settled in townships already occupied by kinsmen who had preceded them in the search for new homes. The four townships Hillour, Barah in Muzaffarnagar, Mohan and Bilgram in Oudh, were the favourite places at which they congregated.

Mohan, where our ancestor settled, was still a prosperous township when Sir Charles Elliott wrote his chronicles of the District of Unao. Now it is entirely denuded of its old prosperity.

Shuja-ud-Daula had married an adopted daughter of the Emperor Muhammad Shah, and was a great favourite both in Delhi and in his own province of Oudh. In 1761 he sent a contingent to the support of Ahmad Shah Abdali the Afghan King, against the Mahrattas. Muhammad Tahir commanded some of his troops, who bore the fiercest attacks of the Mahrattas fighting desperately for their lives. Three times has the fate of India been decided on the field of Panipat.

In 1197 Shahab-ud-Din Muhammad, the Ghorian Monarch, won the victory which lifted the pall that had hung so long over India,

Four centuries later Babar the founder of the Timurid or Mughal dynasty, overthrew the Pathans and seated himself on the throne of Delhi; and in 1761 a Musulman confederation with Afghan help, under the Abdali King, broke the power of the Mahratta host and cleared the way for the establishment of the British Empire.

Ahmad Shah Abdali's victory shattered Mahratta power never to rise again to its combined fullness of strength. There is a very good account of the defeat and destruction of the Mahratta host which issued from the Deccan for the conquest of India, in the monograph of "Casi Ram Pandit", himself a Mahratta Brahmin, but who was in the service of Nawab Shuja-ud-Daula of Oudh and was present at the battle, which he styles the last battle of Panipat. This was translated into English by Lieut.-Col. James Brown 30 years after the event.[1]

From Casi Ram's account, there can be little doubt that the Indian contingents were far more humane than the fierce Afghans of Ahmad Shah Abdali, and that Shuja-ud-Daula and the other Indian chiefs of the Musulman confederacy saved thousands of the defeated Mahrattas from the sabres of the Duranis, as Ahmad Shah's troops were styled in history.

How the Mahrattas requited the generosity and clemency of the Indian Moslems will be found in the Memoirs of two Officers of the British Indian Army entitled "Soldiering in India in 1765" recently re-edited by one of their clan, the MacPhersons.

Mohan has produced distinguished scholars and physicians. Hakim Siraj ud-din Ali Khan, Court Physician of two later Kings of Oudh, built and endowed a great Imambara in his native town.

Among men of learning I must mention the distinguished scholar who edited the Rahbar-i-Islam. This work advocated with singular ability the doctrine that prayers offered to the Almighty in any language are as acceptable as in Arabic; and that the reading of the Koran in the vulgar tongue is as meritorious as in the classic language. Did not the Prophet himself, the Rahbar argues, permit his Persian disciples who had no knowledge of Arabic to recite

1. Recently re-edited by Mr. Rawlinson, I.E.S.

their prayers in their own tongue? Muhammad Hussain laboured to popularise the ideas thus expressed.

Muhammad Tahir's son Mansur Ali Khan, alias Maunawwar Ali Khan, was my grandfather. It was from his time that most of us had second names. He was in the service of Nawab Asaf-ud-Daula of Oudh as a Revenue Collector, a stalwart man, bluff in his ways, rather fierce-looking with his upturned moustache. He figures in the poem of Sauda the poet and panegyrist, which bears the name of "Qasida-i-Shahar-ashob". In this "Qasida" the poet apostrophises Delhi, as "Jahanabad" (short for Shabjahanabad, the city of Shah Jahan). and describes the cruelties on that ill-fated city.

Mansur Ali Khan was killed about the year 1820 in a battle with a Raja who had rebelled against his liege-lord. Hakim Siraj-ud-din Ali Khan, who had married his sister, took charge of my father's education and brought him up as a physician; but he had an ingrained roving spirit and chafed at being tied to the profession of a Hakim. Shortly after the death of his mother Amina Begum, he made over his own share ot their joint patrimony to his three brothers and obtaining monetary compensation, took to travelling. He travelled throughout the country from east to west several times, and frequently visited a cousin, Jafar Ali Khan who was a Deputy Collector and Settlement Officer under the East India Company at Cuttack in Orissa. During one of his journeys he married the daughter of Shamsud-din-Khan a nobleman of Sambalpore, my mother, who bore him five sons. After his marriage he settled down at Cuttack to be near his cousin.

Whilst living there my father made the acquaintance of Mr. Malet, C.S. then Judge of Orissa and of Dr. Mowat then Director of Public Instruction in Bengal. They both persuaded him to give an English education to his sons. Although in those early days English education was not in favour with Moslems, my father felt that the time was coming when it would be an important factor in the growth of the people. Accepting the advice of Dr Mowat he brought his three elder sons to enter the Calcutta Madrassa, which was founded by Warren Hastings and was then at the zenith of its fame. My third brother was then only seven or so; I was the youngest but

one, and then only an infant. My father himself soon tired of Calcutta which had hardly emerged from the condition in which it was found by the Bokhariot envoy who unmercifully satirised the city in the time of Sir John Shore, about 1806.

My father's old friend Syed Karamat Ali had been appointed a few years before to the Mutawalliship of the Hooghly Mohsin Endowment, and desiring to be near him my father removed from the Calcutta Madrassa and proceeded to Hooghly where he entered the two elder ones for education in the Mohsinia College.

Early Recollections

My earliest recollection is of a big rambling oriental house with an old world garden of 3 or 4 acres. The garden to the South of the house was surrounded by a high wall. Mango trees, plantains (bananas), batavian limes, guavas, mulberries and many others the names of which I have forgotten, filled the garden. About a quarter of an acre was planted with roses, jessamine, the sweet smelling Bela, and other flowering shrubs. As I grew up I took a special interest in my garden. Besides indigenous fruits and vegetables, I cultivated English vegetables, the seeds of which I obtained from England. with knowledge of their cultivation derived from "Chambers' Information for the People" which I studied diligently.

I also grew quantities of pumpkins, which with the help of the head gardener I converted into money for the purchase of books or gunpowder, for I began to shoot quite early in life. My elder brothers would not give me any instruction in the use of firearms as they considered shooting a dangerous pastime for a boy; so with the secret connivance of my brave mother, who was afraid of nothing except ghosts, I learnt to shoot without their aid.

Our "up-Country" Durwan (gatekeeper), a cantankerous Brahmin of the Doab, taught me wrestling and single-stick. Later he gave me lessons in fencing, but I could never learn to whirl the firestick with his marvellous skill. I also used Indian Clubs from the age of 14. Beginning with 10 seers (20 lbs.) each I increased the weight gradually to 20 seers.

We were not rich but in comfortable circumstances. There were only two horses in the stables, one saddle horse which my elder brothers rode alternately and a hack on which I had my first riding lessons. It was scarcely used for driving except when my mother thought (which was very occasionally) of driving to the river-side about two miles from the house with her daughter-in-law, the wife of my second brother.

We also had a resident "Moulvi" who helped us younger ones in our Persian and Urdu studies. My mother was strict in the observance of the prescribed prayers, and the women of her household were not allowed to neglect them unless engaged on their household duties, whilst the Moulvi looked after the observance of the daily prayers by the men-servants. We boys had to go to school; so we could attend only at evening prayer.

Besides myself and my youngest brother, the boys of the neighbourhood attended our Moulvi's classes. Often the Moslem Subadars (Indian Officers) and well-born sepoys of the Regiment stationed at Chinsurah came to join us in the study of the "Gulistan", the "Rose Garden" of the Persian poet Sadi. Although I was quite young I could follow the conversation of these soldiers with much interest. Once or twice they brought with them a stranger who obviously did not belong to the country. He talked Hindustani fluently with a strong foreign accent and was dressed in Hindustani garments, but I had a strong suspicion that the colour of his skin was not natural. I imparted my suspicions to our dull-witted Moulvi. The talk of our strange visitor always turned upon the greatness and power of the Russian Emperor and on the prowess of the Russian troops and their arrival in India. This was, if I am not mistaken in my recollection, at the time of the Crimean war. The Indian soldiers seemed to me to regard this man with much respect.

Just after the Mutiny my eldest brother left home to enter the service of the Government as Deputy Magistrate and Deputy Collector in Behar. This was an important office in those days. The after-effects of the great Sepoy Revolt were hardly over; Behar was in a very disturbed condition and Koer Singh's exploits were fresh in the memory of the daring yeomen who did not readily

forget the tyranny of the money-lenders, protected as they considered by British laws. The task entrusted to my brother was to assist in restoring order in the Shahabad District. He appears to have succeeded by means of tact, judgment and conciliation, combined with firmness where needed.

Speaking of Koer Singh reminds me that that sturdy old Rajpoot Zemindar, of whom I myself have only a hazy recollection, would never have gone into rebellion but for the somewhat equivocal conduct of Mr. William Taylor, the Commissioner of Patna during the Mutiny. He had invited Koer Singh to Patna with an ill disguised intention of arresting him the moment he arrived. Koer Singh then applied to Moonshi (afterwards Nawab) Ameer Ali, who had been appointed by Sir Frederick Halliday, Assistant Commissioner, and Syed (afterwards Nawab) Vilayat Ali Khan who was helping Taylor to maintain order in the District, for an assurance of safety from arrest. Knowing the intentions of their chief they both refused to pledge their word. Whatever else may have been said or written on the subject I was assured this was the fact. That same night, on which Koer Singh learnt that the two Nawabs declined to give the pledge, he left Arrah with a large following and the whole of southern Behar was in a blaze. It was the aftermath of this situation which my brother was called upon to handle. Many of Koer Singh's tenants were wont to enlist in the Company's army. He was followed into revolt by three sepoy battalions of the Dinapore garrison. Koer Singh held out till 1859 when he was struck in the wrist by a musket ball, amputated it with his own sabre above the wound, and died as the result at the age of 76. His surviving followers surrendered under the amnesty.

A connection of our family, Colonel Hidayat Ali, was serving in the loyal Behar Military Police Battalion. He had been part of the small garrison of the Magistrate's house at Arrah, known to history as the "little house of Arrah", which had beaten off Koer Singh's attacks, unmoved by the taunts and exhortations of his soldiery to revolt.

On the few British officers becoming casualties, he brought the Battalion through the final operations against Koer Singh as Senior Indian Officer. He was afterwards given the rank of Lieut.,

Colonel. The Regiment was taken into the regular line after the Mutiny as "Rattray's Sikhs" and has earned further fame in many campaigns.

Soon after my brother was settled in his appointment my next two brothers went to join him. I was much their junior and was then left alone to pursue my studies under the care of my mother. This meant that they were entirely in my own hands. I was a voracious reader, and had finished most of Gibbon's "Decline and Fall" before I was twelve. Although many parts were too difficult for me to understand and I required to read them over and over again later, the picture of the Roman Empire and its development and the march of the conquering legions enthralled me. But the sixth volume in which the historian describes the rise of the Saracenic power I found especially fascinating.

My father Saadat Ali, had the reputation of being a first class Arabic and Persian scholar. In addition to medicine, which he had studied with his uncle Hakim Siraj-ud-din Ali Khan, Court Physician to the Nawab Asaf ud-Daula of Oudh, he had devoted himself to the study of Arabian history and philosophy and for some years before his death he was engaged on a history of the Prophet. He had, I believe, nearly completed it when death overtook him. He died of an attack of Cholera in 1856. The manuscripts in his own beautiful writing were placed in a chest along with many family records. This chest was left untouched by my mother for more than a year. When it was opened, to our dismay and unutterable grief, we found a reeking mass of white ants—a few fragments only were left of the precious papers. My mother was inconsolable. The loss of many of our family records was, alas, irretrievable.

When I had reached the age of 14, I had a collection of half-a-dozen guns of sorts; one was a flint-lock converted by the village blacksmith into a percussion-lock which I used as a duck gun with great effect. Two muzzle-loaders of large bore were kept for big game. I made my own heavy bullets, procuring from Calcutta a number of moulds into which I poured the molten lead. This when it hardened left a piece of pointed lead projecting from the

mould.[1] When I could not get small shot in the bazaar, I had recourse to an ingenious device of my own to manufacture it. I made small slits in bricks into which molten lead was poured. When the pencils hardened they were cut with a pair of nippers into small pieces, and these were then ground into shape in a common stone-mill used by the household for grinding corn. This made quite useful small shot. Besides these I had a double-barrelled muzzle-loader for snipe, etc. I shot with this numbers of poisonous snakes with which the old garden was infested. One little episode deserves mention. I had a fondness for birds and among others kept pigeons. The dove-cote was over the passage-way leading from the inner to the outer apartments. To my sorrow I found that the young pigeons were unaccountably disappearing. One morning I sent up the garden-boy to investigate the cause. No sooner was he up the ladder than he clambered down shouting "snake, snake". The lad's cries gathered the inmates of the house, among them my mother, who arrived on the scene just as I was going up the ladder with my gun ready cocked in my right hand. To her shrieks and entreaties I protested that I could not risk another boy's life and that it was my own duty to see to my own belongings. A moment's view of a black cobra with distended hood hissing furiously ready to strike, a shot and it lay dead with its head blown off. The least hesitation would have meant certain death. I must confess that though years have passed the vision of that furious reptile still before my eyes gives me a shudder. I would far sooner face a tiger or a bear, the only large beasts I have shot, than a cobra under those conditions.

Once with the same gun that I always kept loaded, I shot under somewhat strange circumstances, one of those green snakes which are said to strike at the eyes of human beings and animals. I was walking up and down the garden reading a book, when suddenly looking up I saw, on the branch of a mango tree a squirrel absolutely immobile as if paralysed. I was puzzled at its attitude and threw a small stone at the little animal. This roused

1. In the old days in England this projecting piece of lead was known as the "get".

it and it ran away. I then espied a green snake slipping along, fetched the gun and shot it down from the branch.

In those primitive days filters were practically unknown in Indian houses. For drinking purposes we boiled the water; ordinarily alum was used for precipitating the sand or earthy deposit. "Chiraghs" (little earthen spoon-shaped saucers) with a wick in mustard oil were used in kitchen and in the servants' quarters. A lighted wick in cocoanut oil floating in a glass of water under a glass shade lit the principal rooms. Matches were unknown. Small sticks made of the stalks of the flax plant dipped in melted sulphur were used for ignition. These sticks were hawked by the scavenger class and were called "Dya Salai", every household kept a supply of them. The "Dya Salai" did not strike but ignited only when put into the fire which was religiously kept alive for the purpose.

In the cold weather months before I was considered old enough to go for the Christmas holidays, to my brother in Shahabad, I used to organise wild fowl shoots twice a week in the "Jheels" (swamps) up the River Hooghly, with two or three school friends and a servant to pick up the birds. The fate of this lad was sad. He was the same boy who had found the snake among my pigeons. On one occasion when he swam to the middle of a lake to pick up a goose, he was seized with cramp and drowned. Our sorrow at this calamity was acute and we had not the heart to go to the same place again for a long time. The inhabitants of the neighbouring village said that the "Jheel" was haunted by a spirit which had seized the boy by the leg and dragged him down; more likely it was a crocodile.

After that occurrence we employed only local boatmen and fishermen to pick up, our birds. I paid a local villager the modest fee *of three rupees a month to bring me news when a flock of wild geese or duck arrived on the "Jheels", and hired a commodious boat to take us up the river. We had to leave the house at* about 2 a.m. It was bitterly cold, but we had braziers at which to warm our frozen fingers. Two hours hard rowing brought us to the landing-place and half an hour's tramp took us to the "Jheel". It was a glorious night—wild duck and geese, teal and other wild fowl in prodigious numbers feeding gluttonously on the abounding

fish. We had "Doongas" (canoes) dug out of palm trunk, the "gun" at one end, a man paddling at the other. The four of us never got less than 30 to 50 brace of birds; not a bad bag for old fashioned muzzle-loaders.

If this book ever comes within the ken of the present day sportsman, how contempuously he must smile at our sporting efforts. But they gave me intense pleasure as also I believe to my comrades. Our sport over, we breakfasted in the boat, and then rowed leisurely back, past numbers of crocodiles basking on the sandbanks in the sun. Some were huge monsters, others quite small. These slipped quickly into the water, whilst the big ones moved leisurely and afforded good targets. We never failed to take a shot at the reptiles and occasionally succeeded in killing some.

These wild fowling expeditions were my only pastime in those early days. Later when my holidays were spent at Shahabad, I was able to get some big game shooting with my brothers. When we could not borrow elephants from the neighbouring Zemindars (squires), we had often to sit upon the old fashioned Machans, (platforms lashed to trees), on which the sportsman sits whilst the game is driven up to him.

The College at Hooghly was divided into two watertight compartments; one was called the Anglo-Persian department for Moslem students, the other was exclusively for Hindu youths. Great friendliness existed between them but boys will "rag" and often the Moslem boys raided the Hindus and carried away their books and belongings. I was considered to be one of the ringleaders. One day a message was brought to me from the Principal—Mr. Robert Thwaytes—that he relied on my honour as the brother of his old pupil, Waris, to help him preserve order. Thence-forth I felt it my duty to avoid giving him any trouble. Two years later the Anglo-Persian Department was amalgamated with the other, as the number of Moslem students from one cause and another was fast dwindling.

I think I was 15 or 16 when I first came into contact with our Principal, a tall strongly built, full bearded man. Rather grim to look at his appearance belied the warmth of his heart. I can never be too grateful for the kindness and affection he showed to me. He was one of the best friends of my life and whatever good quali-

ties may lurk in my character I owe, apart from my mother, to my two mentors, Robert Thwaytes and the really great Syed Karamat Ali, the venerable and venerated Mutawalli of the Shiah religious institution at Hooghly.

I remember well one day Mr. Thwaytes coming into our class-room and calling me out. (He often forgot my name and called me by my brother's name "Waris"). I followed him not without some trapidation as I thought I was in for a "wigging." My fears, however, were soon dispelled; he only wanted to speak to me about the reopening of the College Department (or University Standard class) which had been closed for some years, and was desirous of getting me to make a list of the young men fitted to "come up" after their matriculation. The list was made, and twenty of us entered the College. Each year some fell out and their places were filled by others, but I stayed on till I took my degree.

I was fortunate enough to retain Mr. Thwaytes' confidence and friendship, and when I took my Master of Arts Degree (the first M.A. of the College), he awarded me the Senior Scholarship which I retained for two years.[1]

Schooldays

I think it was in 1868 that Lord Kimbereley established the State Scholarships for selected Indian students to pursue their studies in England. Although after taking my Law Degree, I had been enrolled as a Pleader, Mr. Thwaytes advised me to apply for one of these scholarships. I was not readily willing to abandon my already fair prospects of success in the legal profession, but his counsel was so cogent that I set aside my own feelings, the more so as my eldest brother urged me not to forego the chances it offered. I obtained the scholarship and sailed for England early in 1869.

I feel I cannot pass over my college days without mentioning two or three men who greatly influenced my tastes and sympa-

1. The influence of Mr. Thwaytes for good shows how grave was the mistake made when the policy was introduced of keeping European Educational Officers in India mainly to the Inspectorate. The influence of young Englishmen of the right type in direct contact with the pupils is more than ever needed, but now their very recruitment to the Educational service seems to have been stopped.

thies, such as Mr. Ronald Cockerell, C.S. and Mr. Henry Brailsford. Ronald Cockerell was then Magistrate and Collector of the District. He was the younger brother of Mr. Horace Cockerell afterwards Chief Secretary of the Government of Bengal under Sir Ashley Eden. I made his acquaintance when I was about 18. I was fairly conversant with English literature and with the Persian and Urdu poets. Mr. Ronald Cockerell was an extremely cultured man, with a wide outlook. He hoped for a time when Indians and Englishmen would work together for the advancement of India, as friends and comrades without bitterness on the one side or arrogance on the other. Men of his calibre were rare then and seem to be rarer now. He was a gentleman by birth and breeding, and despite disparity in age we became great friends. He often came to our house and sent his "Taslim", a high-flown salutation, to my mother before the tea was brought in. I gained considerable information regarding the West whilst perhaps I gave him some ideas as to the East. Mr. Cockerell was held in great esteem by both Hindus and Moslems. He frequently went to Durga Pooja celebrations in Hindu houses where he seemed to receive a sincere welcome, and I often accompanied him on these visits. He spoke Bengali fluently without a trace of foreign accent. His Urdu was not so perfect; but he could follow admirably when I read out to him the Hindustani poets. He died, I think, while I was in England, and these few lines are the only tribute I can pay to his memory.

In those days there was no bitterness between Hindus and Moslems. They both lived and worked together in complete amity and concord; there were no disputes about processions before Mosques during worship, nor any obnoxious parade of the sacrifice of calves or cows during what is commonly called the *Bakr Id* festival. If any dispute arose it was when an ill-mannered domestic fowl chanced to fly from a Moslem house into a Hindu neighbour's courtyard. The apple of discord between Hindu and Moslem in the shape of "communal representation" had not yet fallen between them, and there was no attempt to drive the voters of both communities to a common "hustings". One side was not animated by the ambition of dominance, nor was the other obsessed with the fear of subordination. I had many friends

among my Hindu comrades. I frequently went to their homes and they visited mine, in particular one whose mother and sisters I was allowed to see, but not his wife. He had been married when he was 16 years old and his wife was only 13. A Cashmere Brahmin friend well-versed in Persian literature also frequently visited me for exchange of ideas,

Mr. Brailsford came to India as Professor of English literature when the College Department was opened. He was, I believe, an Oxford man, highly cultivated and of great intellectual gifts and sympathy. Somewhat shy in manner and of nervous temperament, he had little in common with the majority of the youths who came under his tutorship; their outlook was so essentially local with their eyes glued to their class-books.

I am told that India has radically changed since I left the country. If the system of education has changed and the vast mass of youths who receive an English education have now a broader vision and a wider intellectual sympathy, a greater blessing could not be conceived. I cannot help feeling a certain fear that the rising tide of unregulated Nationalism has had a contrary effect. In my opinion Nationalism pure and simple is a reversion to primitive tribal instincts. The first impulse of primitive man is to club his adversary belonging to another tribe, and to seize his belongings. The present day Nationalist is, speaking with the greatest respect, equally intolerant. And this is not confined to any particular country.

Henry Brailsford found himself in a somewhat uncongenial atmosphere although he strove hard to win the goodwill of his pupils as a whole. Unfortunately he had to return to Europe for reasons of health. When in England I learnt that he had died in Italy.

Owing to our congenial taste in literature he frequently came to my house and I often went to his. I had read a good deal of English literature as well as Gibbon's "Decline and Fall", most of Shakespeare, Milton's "Paradise Lost", and his minor poems. I knew Shelley almost by heart, had a good knowledge of Keats, Byron, Tom Moore, Dr. Johnson, Longfellow, and the Lake poets who appealed to the literary taste of the age. I had read all of Walter Scott's novels, Fenimore Cooper, Bulwer Lytton and

Thackeray. Dickens I could not appreciate until I came to England and observed with my own eyes the life he portrayed. I was only then able to grasp the absorbing interest of his inimitable characters, now also belonging to a period which is past. I had already read the "Chronicles of Carlingford", "Salem Chapel," "Evelina," and gone even a little further back to "Pamela". I had a fair grasp of the History of European and Eastern Civilisation, and had studied the Annals of the War of Independence in North America, and so I was able in some degree to meet Europeans in intellectual sympathy.

It may be useful to those present day Indian students anxious to cultivate their minds, to know how I managed to put in so much reading with other activities. At the beginning of each week I made out a schedule of work to complete at home. The moment, however, my mind flagged, I put my studies aside, and took up a novel or Byron or Shelley or Shakespeare, and after a respite I returned to my work with fresh zest During term-time on returning home, after a short rest, I went to one of the Professors living nearby to study Arabic with him.

With Mr. Brailsford we had the late Sir Alfred Croft as Professor of Philosophy. A profound scholar, he proved an efficient auxiliary to the Principal in his educational task. Since those days Sir Alfred Croft has played a great part in the development of Indian education. He became Director of Public Instruction in Bengal, retired some time ago and lived in Devon till his death in 1925.

It was obvious that Mr. Brailsford was interested in the intellectual awakening of India, and in watching the development of his pupils. With my friend Mr. Cockerell the talk had a political tendency; his great concern was to understand and realise what the slumbering masses of Bengal mostly untouched by the intellectual movement set on foot during the Mogul domination in Upper India, thought of British rule. I had even then definite ideas which have not altered much during the last 60 years. But his versatile mind often led him back to the reigns of prehistoric Hindu kings, to a comparison of Pathan and Mogul rulers, the birth of the Urdu language, the poetry of Amir Khusru and Sauda, and his rival Atesh.

It was about this time that Mr. Robert Thwaytes took a year's leave, and that kind-hearted and sympathetic scholar Dr. Lobb acted in his place. To Mr. Lobb I am indebted for my acquaintance later with Doctor Congreve "the sage of Mecklen burge Square." Though I was a mere upper school boy in those days, the friendship of men of this type helped greatly to stimulate my ideals.

Syed Karamat Ali, the Mutawalli (Guardian) of the Hooghly Imambara had travelled far and wide in Persia and Central Asia. A friend and comrade of Arthur Connolly, he had mixed with every sort and condition of men in that distracted region. His historical and biographical anecdotes were illuminated by a humour peculiarly his own. He was for several years at the Court of Fateh Ali Shah, King of Persia, knew Abbas Mirza well, had stayed with Dost Muhammad the Barakzai Ameer of Afghanistan, and was a friend of his brother Abdul Jubbar, familiar figures in Oriental history of the early 19th century, though unknown to the outer world. Whatever knowledge of Moslem philosophy I happen to possess, I owe to that truly great man. Every Sunday morning Moulvi Obaidullah, the Persian Professor and I, breakfasted with the Syed and scarcely ever left before 1 o'clock We ranged over the whole region of Oriental history and philosophy. The Syed had studied ancient Hindu philosophy and loved to draw comparisons between it and the Arabian schools of thought.

A word in passing about Moulvi Obaidullah. He was a scholarly man conversant with English. He took the "nom de plume" of "Al-Obaidi." One of his nephews is now a Judge of the High Court at Calcutta. The family has assumed the name of Suhrawardy, as it purports to derive its descent from a Sufi saint of the middle ages. Moulvi Obaidullah, died some time after my return from England in 1873. He was a man worthy of respect, but he had one failing, common in India, of retailing ordinary gossip without giving due weight to its consequences. He even tried, perhaps unconsciously, to make mischief between me and the Mutawalli. May his soul rest in peace.

Before I left for England, I translated into English the Syed's important work on the origin of sciences (Makhaz-i Ulum). He took great pride in my "Critical Examination of the Life and Teachings of Muhammad" published before I returned from

England. I shall never forget his pleasure and affection when I went to see him immediately on my return to India. His health began to fail him in 1876 but unfortunately the young man whom he had nominated as his successor, for some unaccountable reason, never informed me that he was seriously ill. To my unutterable sorrow I was not present at his death-bed, but I carried out his last wishes. I gave my whole-hearted support to his successor, and protected him from his enemies for 28 years from 1876 until my retirement from the High Court in 1904.

Before I went to England I had my fair share of accidents and illnesses, which, unless one is particularly careful beset Indian life. On one occasion I very nearly blew off part of my face trying to extract a bullet from a heavy muzzle-loading gun. Twice I was attacked by cholera. once very severely when my life was saved by Hakim Mubarak Ali, a very able physician. He was a Persian by descent and was for a time in the service of the Nawab Nazim at Moorshedabad, whence he came to Chinsurah and set up in practice. His grandson, according to a custom which has grown up in recent years in India, assumed the name of Tabrizi to denote that his ancestors came originally from Tabriz in North Persia. Just before the examination for my degree of Bachelor of Arts (Law), I had a bad attack of malarial fever which clung to me until I came to England. I placed myself in the care of Nawab Syed Vilayat Ali at Patna, who was an enthusiast in Homoeopathy but he treated me without success.

England

In 1868 the railway from Calcutta did not extend beyond Raniganj.[1] I had therefore to sail from the port.

Sir William Grey was then Lieut.-Governor of Bengal, and I was advised by Mr. Thwaytes to see him before my departure for England. He was a stiff man, quite typically bureaucratic, and "did

1. The author was thinking of the Mutiny, when Raniganj was the railhead where all reinforcements from overseas detrained for the area of hostilities, many hundred miles "up country". Earthwork and survey were then being carried on to beyond Cawnpore and this was one of the reasons which weighed with rebel elements to bring matters to a head before communications by rail were extended. In 1868 the railway to Bombay was incomplete between Allahabad and Jubbulpore.

not see why I was going to England."

On the other hand the Viceroy, Lord Mayo, was genial and kind. He thoroughly approved of my going and "suo motu" gave me three letters of introduction—one to his brother the Hon. Robert Bourke (afterwards Lord Connemara); the second to Sir William Kaye, the renowned author of the "Sepoy Revolt", and the third to the Master of Downing College at Cambridge. The impression Lord Mayo made on me has never faded from my memory. He was an imposing figure with courtly manners, a genial voice and a kind heart. I little thought it possible that such a man would meet his death two years later by the hand of an assassin through the carelessness of his guards on the shores of the Andamans.

Other introductions I had were to Lord Lawrence, Lord Mayo's predecessor in Office, and to Sir Frederick Halliday the retired Lieut.-Governor of Bengal who had shared with Lord Canning the unpopularity of the measures taken under the Great Queen to bring about peace and appeasement in India. To Doctor Clarke who, I think, was the Director of Public Instruction, I owe the introduction which gave me the privilege of the friendship of Mr. and Mrs. Henry Fawcett. I had also a letter to the famous physician Mr. Henry Hancock of Harley Street, whose son Sir Burford Hancock shortly after became Chief Justice of Gibraltar.

I sailed from Calcutta in December 1868 in the P. & O. steamer "Simla". Neither the ship nor the food in the saloon were (*sic.*) at all to my taste. There was a long table at which the Captain presided; at the other end sat the Purser. Each man carved for himself and for the ladies with him, and I had rather a lean time of it. The servant I had taken with me added to my troubles; he was a very particular Moslem and objected to everything on board. I soon found I had no need of a servitor.

At Point de Galle the ship stayed three days and I went ashore with several other passengers. The Moslems of the place somehow learnt that a descendant of the Prophet—a Syed or Sharif—was on board the "Simla," and I was asked to receive a deputation and to accept an invitation to a banquet, at the residence of the principal member of the community, which I found it difficult to refuse. The house of this gentleman appeared clean, spacious and comfortable. The banquet and hospitality were rather overpower-

ing. Many children were brought to me after the feast to receive my benediction. The incident gave me a pleasant impression of the people. These *Lubbays* are descendants of the old Arab settlers on the Island of Ceylon, and have inherited the energies of their progenitors in trade and commerce. In virtue of my descent their women were allowed to appear before me unveiled. They seemed to be taller than the average women of the same class in Bengal, slenderly built and good looking. The men retained their Arab features but were not of such good physique as their ancestors, and were not given to physical exercise. I am told that conditions have changed since my visit and that *Lubbay* youths have taken to football and cricket like the young men of the Indian continent.

On the 21st day after leaving Calcutta we arrived at Suez. The Canal was not yet open and it was a relief to see again the Indian *Khansamahs* clad in white, ministering to our comforts in the clean hotel. The next time I landed at Suez the Canal being blocked, we had to travel across by rail to Alexandria. The hotel's occupation gone, it was practically abandoned; we had ourselves to fetch the water for our toilet, there being only one Egyptian attendant to serve meals, such as they were. On the first occasion two days had to be spent at Suez; on the third day we started at nightfall, reaching Alexandria in the morning to embark in the "Ceylon", a small, uncomfortable ship in which the Captain's manners were hardly commendable for courtesy. Seven days in heavy weather brought us to Marseilles.

In those days there were no "sleepers" on the trains to Paris and no comforts of any kind, even for first class passengers. Meals or a cup of coffee had to be snatched at the different stations. The meals were execrable but the coffee excellent; a wash was hardly possible anywhere.

At the advice of a fellow passenger on the "Simla" I put up in Paris at the Grand Hotel, and knowing no French a *Commissionaire* who spoke English was allotted to me. Old Digard was a linguist but supremely avaricious and he took *sub rosa* a share in the price of whatever I bought As a consequence I was inordinately "fleeced" in the shops. I visited the Tuileries, the Champs Elysees, the Louvre, and the tomb of Napoleon, and duly admired the Arc de Triomphe and other memorials of Napoleon's victories. In those

days I was a thorough-going admirer of the great Corsican, and it was interesting to me, fresh from the East, to see how the French worshipped his memory and traditions. Remembering what I saw then, I can realise the revival of his policy in the present day which has been called by an English writer "Neo-Napoleonism".

In Paris my servant got himself lost. Whilst I was somewhat selfishly congratulating myself on a good riddance, he was brought back to me by Digard at the cost of 25 Francs for board and lodging at some Cabaret and 10 Francs for himself for discovering him!

We arrived in England at the end of January, and I was met at Charing Cross by Mr. Abdullah, the Hindustani "coach" to students preparing for the Indian Civil Service. A well known character, he had come to London some years before, had married an English lady and set up as a "coach", which in those days brought him a good income. I well remember his proud boast of living at "21 Fulham Place" somewhere in Paddington. His letter were headed with a high-flown Persian verse "Makan-am-bast-o-ek Fulham Place ast," that is "the house is at one and twenty Fulham Place".

In Syed Abdullah's house I made the acquaintance of the grandsons of the famous Savoyard soldier of fortune General de Boigne, who served under Mahda Rao Scindia, the powerful chief of Gwalior at the end of the eighteenth century, and heard much about his exploits. He must have possessed considerable military capacity like most of the French soldiers of the time. His grand sons had come to get translated into English some Persian documents addressed to de Boigne by Scindia. It was years later that I was able to see the imposing monument that had been erected to their ancestor in his native town of Chambery near Aix-les-Bains with its base of four elephants.

I lived in the family of a widow of a clergyman, a Mrs. Chase, until my return to India four years later She treated me as one of themselves and I shall always treasure with abiding gratitude their unvarying kindness.

London did not appear to me inhospitable or uninviting as it does to many foreigners. Though I had arrived in England in the depth of winter, I did not find the climate severely inclement in spite of a good deal of frost and snow. Horse buses and "growlers"

were the ordinary means of conveyance. Hansom cabs were still too advanced for ladies to ride in. I first became acquainted with the Underground railway when Mr. and Mrs. Fawcett invited me to dine with them shortly after my arrival in England. In the kindness of her heart, Mrs. Fawcett gave me explicit directions about the trains and the way from Victoria to their home, which was somewhere in Lambeth. I tried to follow her instructions and was half-an-hour late. There was another guest, Sir George Lawrence. I threw myself on their indulgence and was forgiven. Mr. Henry was indeed a great man and it was a pleasure and a privilege to hear him talk. After that I visited them frequently during my first stay in England. Both husband and wife were ardent advocates of "equal rights for women" and as my sympathies were on the same side, our friendship was not marred by the difference of opinion, much of which was prevalent at the time.

Mrs. Fawcett, now Dame Millicent Fawcett,[1] is still happily amongst us to see the absolute fulfilment of all her and her husband's aims and endeavours. After over half century's labours her great work in the advancement of the cause of female franchise has received the recognition of His Majesty's Government. On the Ist January 1925 a G. B.E. was conferred on her. It cannot be said any more that the British Government never recognises honest, unselfish labour in the advancement of the public weal.

Early in 1870 a great meeting was held in St. James' Hall in support of the female suffrage movement. The speeches of Mr. and Mrs. Fawcett on that occasion made an ineffaceable impression on my mind and I became convinced that the English law of the time as regards women's rights to their own earnings and property, to the custody of their children, and to the franchise, needed substantial improvement. I saw then how far behind the Moslem law it was in all these respects and the passing of the Married Women's Property Act of 1873 was a satisfaction to me. At the suffrage meeting just referred to, I was seated next to the distinguished American writer and thinker Mr. Moncure Conway. We exchanged greetings and our acquaintance soon ripened into warm friendship. Mrs. Conway had social reunions once a week at which congregated

1. Dame Millicent Fawcett died in 1929.

litterateurs, savants. and distinguished men and women from every part of the world. I attended her receptions frequently and there made the acquaintance of many people whose friendship and esteem I hold and value to this day. One of these was Mrs. Thomas Taylor, who occupied a prominent position in London Society. She had travelled with her husband in Egypt and Palestine, and had visited Constantinople, then, of course, far less accessible than later. She was a consistent supporter and an admirer of Mrs. Fawcett. Her weekly parties represented all the best minds of the liberal party to which she belonged, besides scholars, artists, poets and other eminent men Mr. Thomas Taylor owned considerable property in Oxfordshire besides Coal Mines and Cotton Mills in the North of England. The kindness and hospitality they extended to me both in town and country has my lasting gratitude. I was a frequent visitor at Aston Rowant, their beautiful home in Oxfordshire where Mr. Taylor's collection of famous and choice pictures by modern masters was a feature of the county.

I received much kindness from both Lord and Lady Lawrence, though he was always to me somewhat awe-inspiring. Lord Lawrence was a grand figure, tall, impressive, somewhat grim and taciturn; no so genial as his successor Lord Mayo, but his personality was indefinable in its imposingness. I was invited to one of his great dinners, at which were present many retired administrators and distingushed Generals, blazing with decorations,—my first experience of grand official or rather semi-official banquet, and I must confess I was somewhat awed by the galaxy.

Among the great Indian Pro-Consuls who extended their hospitality to me was Sir Frederick Halliday, who had been Lieut.-Governor of Bengal during the Mutiny. and was at the time a member of the India Council. The Marquis of Salisbury was then Secretary of State for India, and received me with his well-known courtesy. Among other questions he put to me I particularly remember one, whether my co-religionists were taking advantage of the new conditions created by the Queen's Proclamation to place themselves on a level with their Hindu fellow country-men. To this question I could only reply somewhat doubtfully while referring to the effect of the Rules passed by the Indian Government a few

years previously which, by displacing the Urdu language from the position it had occupied until then in Indian Administration, had destroyed their prosperity. Lord Salisbury asked me to explain the matter more fully. What I said to him then is set out in detail in an article in the "Nineteenth Century" written by me 12 years later.

Sir Frederick Halliday was a stately man but genial and pleasant. He gave me much valuable advice which rendered my course easy in England. On one occasion in later years when I was dining with him a telegram was handed to him during dinner which he read out to the company. It announced the victory of Ahmad Khel. This battle took place on the march of Sir Donald Stewart's army from Kandahar to Kabul during the second Afghan war Tribal opposition gathered, in his own words, "like a thundercloud", and burst on him on his way. It was afterwards reported that a raw British regiment had behaved none too well and that the day had been saved by the steadiness of the Sikhs and Gurkhas in facing the rushes of the Afghan swordsmen. This action dispersed the tribal concentration and cleared the way for Sir Frederick Robert's subsequent march in the reverse direction which for some reason took the popular fancy far more than Sir Donald Stewart's operations.

In later years I knew Sir Frederick Halliday's son and grandson, both men of ability. The former was a member of the Board of Revenue in Bengal, and the latter Commissioner of Police in Calcutta. He is now, I believe, the Chief of the Police Mission at Athens.

Mr. Bourke, Lord Mayo's brother, was my sponsor when I was admitted to the Inner Temple. Both he and Lady Susan Bourke, a daughter of Lord Dalhousie the famous Governor-General of India, showed me much kindness.

As I had taken my Law Degree at the Calcutta University, I had to undergo no examination. I thus had ample time to devote myself to Chamber work and attend the Common Law Courts, mostly with or for Mr. Baylis (afterwards Judge Baylis) in whose chambers I read. He had three pupils besides myself, Norman Bazalgette, Sandbach and young Baylis. Bazalgette was one of the best fellows I have ever met and we became close friends.

His father lived some distance from town; Norman had several sisters and they often gave dances to which I was invited. As they could not accommodate all their guests in the house, rooms were taken for them in the neighbouring cottages, but all met at breakfast full of good fellowship.

The last time I saw dear Norman was when he appeared unexpectedly to look me up as I was presiding at the Chief Magistrate's Court of Calcutta, I think in 1878. He watched the proceedings from the Bench with some curiosity. In those days the Magistrates were required to administer an outrageous law which to my mind was very disgusting. A number of the "filles de joie" of Calcutta were every week brought up before the Magistrate for non-compliance with the rules prescribed for their periodical examinations. To my question as to why they failed to attend according to regulations, the invariable answer was that "they had gone to their homes", which the Court Interpreter translated as "country houses"! My friend considered that these girls must be very rich to own "country houses", and it took me some time to explain what was meant. That night we talked over our early days till midnight. Next morning he sailed for Australia and we never met again.

Mr. Baylis was most kind and hospitable to his pupils, and treated us as members of his family. After finishing my studies with him I entered the Chambers of Mr. Alfred George Martin of the Chancery Bar. Mr. Martin later received a knighthood. He had a large practice and his pupils were kept quite busy.

In London Mrs. Taylor and her two younger daughters, who were still children, frequently went with me to the Crystal Palace which in those days wore a much brighter and more inviting aspect than it has done in later years. In the autumn of 1870 I was in the North of England staying with my kind friend Mr. Fitz Adam, in his old country residence, and whilst I was there the son and heir of the Lord Crawford and Balcarres of the time brought home his young and beautiful Italian bride. There were great festivities at the Castle on the occasion, to which we were invited, and I thus had an opportunity of getting a glimpse of the old feudal life of England. Twice we went down a coal mine, an interesting experience. I also sat on the Bench, as my host was Recorder.

I spent Christmas of 1870 at Aston Rowant where a large house party was assembled, and that winter I made the acquaintance of several interesting people who have remained friends. If a stranger with opportunities of observing social changes in England may express an opinion, in those day English Society was not such a close preserve of the monied classes as it became later. One could receive hospitality in private homes without resort to restaurants. Nor were "Salons" the exclusive monopoly of ladies of title; many had circles, admission to which was obtained by personality and not purse. The Americanisation of which Professor Dicey writes in one of his most trenchant articles had not yet commenced.

Almost every family I knew had an evening "at home". Mrs. Vaughan the wife of the Master of the Temple, (afterwards Bishop of Llandaff), gathered round her a brilliant circle. Through her I became acquainted with her brother Dean Stanley. To know him was a privilege and an honour. Dean Stanley was particularly interested in the development of religious thought in India. One remark of his lingers in my mind; it was only a little while after he had heard Keshub Chunder Sen in St. James' Hall. Talking of "Brahmoism" he said: "He had heard Sen's address with interest and pleasure, but he doubted", added Dean Stanley, "whether the new cult would ever excite the fervour of its votaries and lead them to undergo sufferings for their creed". I referred to the sufferings of the Buddhists in S. India after Brahmanism regained its ascendancy. He replied "It was a creed and not a mere philosophical aphorism".

At Mrs. Vaughan's I first met Mr. Ernest de Bunsen, the son of Baron de Bunsen at the time Prussian Ambassador at the Court of St. James'. He and Madame de Bunsen who was a niece of the great Elizabeth Fry, showed me for nearly 30 years, until their death, great kindness. He was a profound scholar, vastly read in the philosophy of the East and West, and his conversation revealed extraordinary stores of knowledge. I was frequently at their beautiful home in Regents Park—"Abbey Lodge"—with its umbrageous garden. It is now a thing of the past and has been annihilated by the builders of leviathan flats. His "Angel Messiah" is one of the most remarkable works on the Messianic conception.

At the same time I got to know one of the most gifted families I have had the good fortune to meet in England. The four Miss Montalbas were highly accomplished ladies; Miss Clara Montalba[1] was an artist of outstanding talent; Hilda, the second sister, painted with exquisite genius on porcelain. Ellen, who came next, was an accomplished linguist. The youngest, Henrietta, played the violin to perfection. In their company I went in 1872 to the Session of the British Association at Brighton, where I met Edward Maitland the author of "The Pilgrim and the Shrine", an unforgetable work, and "Jewish Literature and Modern Education".

The ex-Emperor Napoleon III and the Empress Eugenie, with the young Prince Imperial, were at the Grand Hotel where I was staying at the time. I wore a Fez. In passing me, as I stood aside, the Emperor asked if I was an Algerian. I answered also in French "No, Sire, an Indian, a subject of Queen Victoria". He at once spoke to me in English and asked if I liked England? I answered "I love it". He replied, "So do I, I have received much kindness here", and chatted to me for ten minutes. The Empress was all smiles, a fascinating personality. The young prince looked so frank and full of vivid life that no one could help liking him. Alas for his death in a savage land.

When there was no evening sitting of the British Association or other engagement, Mr. Cholmondeley the Rector of Ditton (Oxon) and I went to the pit of the Theatre. Apart from economy, to us it was interesting to hear the comments of the towns people Mr. Cholmondeley was a great scholar and gifted with a sense of humour which was inexhaustible.

At Dr. Schlesinger's house in Bloomsbury I met some notable people. He was the doyen of the foreign press like M. De Wesselitzky in later years. At his wife's Friday receptions were artists, *litterateurs*, scholars, and politicians from every country in Europe. musicians such as Joachim and Rubinstein, the famous Madame Mojeska the Polish actress, the accomplished Hamid Bey afterwards Turkish Minister in Brussels, academicians such as Lord Leighton, Alma Tadema and Boughton, and others too numerous to mention.

1. Died recently 1929, at the age of 90 at Venice.

In the hospitable house of the Boughton's, where I was almost a weekly guest, I met my kind good friend Mrs. Lynn Linton, famous for her "Girl of the Period." She was a remarkable personality; in spite of her years her mind was as active and alert as that of a woman of 30, and I am indebted to her for much advice in the formation of my literary tastes.

Some of my kindest and most valued friends were Mr. and Mrs. Henry Buckley of Edgbaston, whose son Mr. Wilfrid Buckley of Moundsmere Manor in Hampshire has done so much for infant welfare by his strenuous exertions in combating the dangers of tuberculosis and of infant mortality, in forwarding the movement for the Country's supply of clean milk.

In 1871 Miss Manning founded the National Indian Association, which became in her hands a link of fellowship between the English and Indians. The inspiration for the movement came from Miss Mary Carpenter, the design was Miss Manning's and my suggestion as to the name was accepted. In those days there only existed the East India Association, founded by Mr. Dadabhoy Naoroji. Its object was, however, entirely political. The aim of Miss Manning was to make the National Indian Association the means of bringing Indian students and visitors from India into touch with English social life. Other societies with similar objects have since come into existence, but the National Indian Association under the able and sympathetic guidance of Miss Beck, still retains its pre-eminence and vitality.

While staying at Bangor one autumn, where I had some wild-fowl shooting on the Menai Straits, I was advised not to miss the opportunity of visiting Ireland. From the landing at Kingstown to Salt Hill Hotel was some distance, and I took a side car. Unfortunately I ventured to say to the driver "Eringo-Brugh" all the Celtic with which I was cognisant. His face beamed and his eyes gleamed, and he poured forth a torrent of words which I could not understand. I tried to conceal my ignorance of Celtic by talking Persian to him. At last he quieted down. When I "tipped" him on arrival at the Hotel, he invoked the blessing of all his saints on me. The crowd of beggars of all descriptions, mostly cripples, which surrounded the Hotel every morning was not a pleasant sight, so I left Salt Hill and went on to the Sherborne in Dublin.

Here I found bitter feud between Saxon and Celt, but as I was neither the one nor the other I was safely left out in the cold. I had intended to visit Kllarney but in disgust I returned to Holyhead on a typical night in the Irish Channel.

It was pleasant to find myself again among kindly people, away from racial feuds.

"In 1871 Mr. afterwards Sir Denis Fitz Patrick, G.C.S.I., was in England on behalf of the Government in charge of the well-known "Dyce Sombre Case." Our friendship dated from then, and lasted to the end of his days. When later I was Additional Member of the Victory's Council, he was the Legislative Secretary. He was ever a true friend to India.

Mr. Henry Channing, nephew of the great Channing, the famous Unitarian Preacher and writer, was a man of wide sympathies and still wider outlook. He was an admirer of Abraham Lincoln and agreed with me that the only Holy War ever waged by humanity, save, perhaps, the War of Spanish liberation from the cruel, devastating rule of the Visigoths, was the War for Negro Emancipation. He was greatly interested when I explained that Islam did not recognise human chattelhood and that the brutality which characterised the treatment of the Black Races in the Southern States of America was impossible under Islam. To me, it was astonishing, I told him, that in a civilised community the taint of slavery should last for eight generations, and that a father could sell his progency into slavery. Mr. Channing was much impressed with the humance provision of the Islamic Law, namely that the child of a bondswoman born to the Master is not only born free but causes the automatic enfranchisement of the mother. Such a rule of humanity promulgated in the VIIth Century of the Christian Era had no such parallel. Mr. Channing lent me for perusal "Clark's Ten Great Religions", and when I referred to the errors with which the book teemed he asked me to write something on the subject. This was the genesis of my first book "The Critical Examination of the life and Teaching of Muhammad." I spent a good part of 1872 over this work which engrossed all my leisure hours, and it appeared early in 1873 just as I was leaving for India.

A few months later I had the grief of hearing that my eldest

brother Waris Ali had died suddenly from heart failure. The gap his death made in my life was irreparable. As a token of my great affection for him I dedicated my book to his memory.

Considering that it was the first presentation of Islam by a Moslem in the English language, I could not have expected a more favourable reception than was accorded to it by that eminent Orientalist Major R.D. Osborn, writing in the Calcutta Review."[1]

In 1871 Syed Ahmad Khan (afterwards Sir Syed Ahmad) the great founder of the Anglo-Oriental College at Aligarh, came to England with his two sons. One of them was Syed Mahmud who not long after his return to India as a member of the English Bar was made a Judge of the High Court at Allahabad. He was an able man but unfortunately did not live many years.

Both in England and in India I had frequent opportunities of discussing with Sir Syed Ahmad the position of the Moslems in the political economy of British India, and of their prospects in the future. Syed Ahmad Khan pinned his faith on English education and academical training. I admitted their importance but urged that unless as a community, their political training ran on parallel lines with that of their Hindu compartriots they were certain to be submerged in the rising tide of the new nationalism. He would at first not admit the correctness of my forecast, but I believe the birth of the National Congress opened his eyes. In

1. "The 'Critical Examination of the Life and Teachings of Muhammad' by Syed Ameer Ali is in one respect a very remarkable work, and most creditable to the author. It exhibits an easy idiomatic command over the English language, and is written in a style free alike from redundancy or turgidness; very rare among educated Englishmen, and quite marvellous in the case of a native of this country. The Syed seems to have shaken himself clear of all the defects of manner which mark the English compositions of an educated Hindustani; the characteristics of his book being an absence of all straining after-effect, and a perspicuous brevity. Regarded simply as a literary achievement, we have never read any thing issuing from the educated classes in this country which could be compared with it; and the Muhammadans of India are to be congratulated on the possession of so able a man in their ranks. It is impossible if his after-life accords with this early promise, that he should not leave his influence for good stamped upon the country in deep and enduring characters. But with the greater part of what the book contains, we differ profoundly, and these differences and the reasons for them we propose in the following paper to set forth in considerable detail."

1877 when I founded the Central National Mohammadan Association we respectfully invited him to give us his valuable support, but he declined. Twelve years later, however, he established the "Muhammadan Defence Association," which I looked upon as rather an unfortunate move, and likely to be considered provocative. But I am anticipating.

I was called to the Bar on the 27th January 1873 along with Henry Bell, afterwards Legal Remembrancer, and J.G. Apcar who became Clerk of the Crown at Calcutta in the eighties. Shortly after my call I sailed for India and travelled by one of the Rubattino Steamers from Genoa to Bombay.

On my way out I stayed a few days in Paris to call on the great Orientalist M. Garcin de Tassy and other friends whose acquaintance I had made in London. M. de Tassy was one of the most charming of men. Both he and his daughter spoke perfect English, but he preferred to speak to me in Urdu (Hindustani) from a natural desire to show his mastery of that language. I confess I have met but few Englishmen possessing such perfect command of it. Among them stands foremost that great linguist Edward Palmer, whose untimely death by murder in the Sinai Peninsula was a loss to Oriental literature. Others whom I should like to mention are Col. Law (Agent to the Governor-General with Sirdar Ayub Khan son of the Ameer Shere Ali) and Colonel Mowbray Thompson who was attached in the same capacity to the ex-King of Oudh.

One day after luncheon at M. de Tassy's he showed me over his extensive library in course of which he recited a good deal of Urdu poetry most from Sauda and his friend and rival Atesh.

We stayed at Genoa three or four days as the Italian steamer made its preparations very leisurely, and progressed as leisurely as it had loaded. Port Said, the town which the great Canal had in the meantime produced, did not make a very favourable impression on us. We had landed after dinner and the lady passengers of our party insisted on having a look at the local Casino. I had warned them that the experiment might not be agreeable. They were, however, insistent. Our first peep passed without incident; this emboldened the ladies to enter the dancing room. No sooner were they seen by the "local ladies" inside, than a rush

was made for them. Probably it was sheer pleasantry, but our friends were frightened by the screaming of the harpies and took to their heels, we men behind them running as hard as we could until we reached the Canal. We were able to laugh at the episode afterwards, but at the time it was not a pleasant one.

In the Red Sea the courteous Captain invariably gave us our meals on deck and consulated us on the *menu*. In those days there were no dining cars on the Indian railways and the trains were stopped for meals at certain stations, a system far advanced on what was then in vogue in Europe. We did not fare badly until we passed Buxar. Here the engine broke down and we had to stay in our carriage from 9 A.M. until 3 P.M. tormented by thirst and hunger. But the neighbouring villagers took pity on us and brought us fresh milk in new earthen gharas or jars.

Starting Life

WHEN I arrived home at Hooghli I was struck with what appeared to be neglect on every side. The orchard, the big garden, and the flower-beds had lost their old charm. Perhaps the forlorn impression was due in part to a psychological change in me, as I had become accustomed to a wider outlook.

I received a warm welcome from my venerable friend the Mutawalli; he told me that he had my book on the life and teachings of the Prophet translated and read to him by his Munshi and was specially pleased with the Persian motto on the title page. Mr. Robert Thwaytes was equally kind in his welcome and gave the whole College a holiday next day. To me this was excessively gratifying, as the College had grown remarkably during the period I had been away in England.

I was enrolled as an advocate of the High Court in February 1873. Old Mr. Belchambers was then Registrar on the Original Side; he was a capable man and all the Judges relied on his knowledge and experience on questions affecting precedent and practice.

I ought to add here that the High Court was divided into two "sides," and so far as I know is still so divided. The "Original Side" as the inheritor of the jurisdiction of the defunct Supreme Court, had absolute Judicial cognisance of all questions requiring determination within the technical boundaries of Calcutta, i.e.

the "Presidency Town". The "Appellate side" took cognisance of all cases arising outside of Calcutta in appeal from District and Sessions Courts. Barristers were sworn in before the Judge presiding on the "Original side" and the old Registrar was the *genius loci* on these occasions.

At that time the English contingent at the Calcutta Bar was very strong and was composed of able men.

Paul was the Advocate-General, my friend James Pitt Kennedy was standing Counsel; J.T. Woodroffe, who succeeded as Advocate-General, Branson, Evans, and T.D. Ingram, were outstanding figures. There were three Indian Barristers. W.T. Bonnerjee, a man of great ability, was the most prominent and successful among them. Monomohan Ghose's work was entirely criminal. Rao Tarukh Nath Palit, who was afterwards knighted for his manuificence to the Calcutta University, had an excellent practice in the Mofussil. The English Barristers were most kind to me, in particular Thomas Dunbar Ingram and James Pitt Kennedy, both from the Emerald Isle. Ingram had made a name for himself as Anstey's junior in the great Wahabi case. Anstey, who was at the time a prominent member of the English Bar, went out to defend the accused with Ingram. The trial was held in the Mofussil before Prinsep, I.C.S. who afterwards became Judge of the High Court. Almost the whole of the accused were convicted and their property was confiscated.

What happened some years later left little doubt in my mind that the conviction was an arror of justice. The very man who was instrumental in getting the accused convicted exerted himself in obtaining their release. The poor old Ameer Khan, convicted of waging war against the Queen, did not live long to enjoy his freedom. He was knocked down by a hackney carriage and I had, as the Divisional Magistrate, to give permission to the Commissioner of Police to allow the released man's funeral without a formal inquest. Ingram's speech in the defence of Ameer Khan was a masterly forensic effort.

I was a regular contributer to the "Observer," edited by Ingram which was regarded as a powerful journal in Calcutta. This was of some assistance on commencing practice as I had rather an uphill task. I expected no backing and received none.

The English solicitors looked upon me as an interloper; the Hindus frankly disliked me; whilst the Moslems considered me a renegade because of the English method of life I had acquired. I was determined, however, with the fullest trust in Divine help to succeed in spite of all. I had sufficient success before 1874 was out to be able to clear off my brother's debts, and in 1875 to pay a flying visit of three weeks to England.

Shortly after I joined the Bar, I was given a Reportership, which brought me experience as well as emolument. At this time my friend C.C. Macrae, a brilliant barrister, was Clerk of the Crown and had charge of the Criminal Sessions on the Original side of the High Court. The work of assigning the cases of undefended prisoners lay within his province, and he assigned to me a case of murder of exceptional difficulty. A good-looking Brahman youth who worked in a Hindu family in Calcutta, and was privileged to go into the zenana apartments, was found one morning inside the house with his throat cut, and another youth was accused of the crime. I found some difficulty in unravelling the mystery. Whilst I was listening to the case for the prosecution, the Deputy Commissioner of Police came into the Court and gave me some information which furnished a clue to the whole story. I suspected that the murder of the boy was due to his familiarity with the younger ladies of the house, and that it was committed by someone quite other than the boy who was accused of it. This youth was only a water-carrier and his life was not considered of much value. I defended him on these lines and was able to convince the Jury that a verdict against the accused would be most unsafe, and they pronounced him "not guilty."

My first two cases, in wihich important questions of Mohammedan Law were involved, established me as an expert in that branch of the Law. A little while after I was appointed Lecturer in Mohammedan Law in Calcutta University. The Lectures were from 9-10 in the Morning, and did not interfer with my professional work. Moslem femilies in affluent circumstances still existed in the country; they had not all been wiped out by the money-lenders and "Mahajans." There was a good deal of work for a lawyer with a established reputation as an expert in Moslem Law.

Lord Northbrook had succeeded Lord Mayo, who was assassinated in the Andaman Islands, and was Viceroy when I first returned from England. He was not a great statesman but was a thorough English gentleman, gifted with sound common sense, courteous and dignified. I received much kindness from him as well as from his entourage, especially General Earle and Major Pomeroy Colley, both of whom unfortunately lost their lives in action, the one at Kirbekan in the attempted relief of Gordon; the other at Majuba Hill. Both of them were greatly interested in questions connected with the propagation of Islam. Later I became associated with Lord Northbrook in the establishment in London of the Northbrook Society. He had often spoken to me in India of the necessity for a society exclusively designed to help Indian students on their arrival in Britain, to put them in the way of things and if necessary to exercise a certain guardianship over them, as he thought the National Indian Association too general to take charge of this duty. He set himself to the task of organising the Society in 1888 which took his name. As I was then in England I was able to give him what he considered a good deal of help in the prosecution of his wish, besides obtaining subscribers in India. It was when working in collaboration with this Society that I made the acquaintance of Sir Gerald Fitzgerald who was for many years Political Aide-de-Camp to the Secretary of State for India, and our friendship lasted until his death.

Lord Northbrook was followed by Lord Lytton, the son of the great novelist. His Viceroyalty is noted, apart from the Afghan troubles, for the assumption by Queen Victoria of the title of "Kaiser-i-Hind," Empress of India. I have been told that the title was suggested by the Viceroy himself. The Prince of Wales (King Edward VII) visited India in 1876.

Lord William Beresford, Military Secretary to the Viceroy from the days of Lord Ripon, was an autocrat. He ruled Society at Calcutta and Simla without cavil or criticism. He also tried, and to some extent succeeded, in introducing the strict etiquette of the Court of St. James' under the great Queen. Newcomers experienced some difficulty, and many democrats from abroad considered his ruling capricious and arbitrary, but they certainly kept out undesirables. As a man, Lord William not only possessed the high

courage which won him the V.C. in the Zulu War, and which, with his innate humour, made him the best of sportsmen; but he had great kindness of heart, which expressed itself in many a good deed not generally known.

The Magistrate's Bench

About this time I was appointed to officiate in the position of Presidency Magistrate of Calcutta. On the post again falling vacant I was offered it once more, but I refused in spite of the blunt exhortation of Mr. Colman Macaulay, then acting Chief Secretary to the Bengal Government.

I had met him on my first visit to England, when he and Mr. Denzil Ibbeston had been successful in the Civil Service Examination and were about to go to India. Ibbetson selected the Punjab, of which he afterwards became Lieut.-Governor, and Macaulay went to Bengal.

In Calcutta, as in England, the Magistrate has no direct control over the police, while the District Magistrate in the Mofussil, the vast tract of country outside the Presidency Towns of Calcutta, Madras and Bombay, is in titular control of the police in his jurisdiction. The system in the Presidency towns, however good in some ways, has decided disadvantages. The Magistrate cannot himself deal with police irregularities; he can only report them to the Commissioner of Police or his Deputy.

When I took up the post I found much laxity. Of this I had already been warned by the Deputy Commissioner, Lambert, but had not known how widely it prevailed in the different police areas. The Northern Division was the most populated part of the town, crowded with big houses, tenements, shops, hovels, and inhabited by a heterogeneous mass belonging to all classes of society. It can easily be imagined what a favourable field such conditions afforded for all manner of villainy if the police were in any way wanting discipline. It became my duty to deal firmly with the bad characters who infested the neighbourhood and with any laxity in the guardians of law and order. Every offence against women and children was visited by the severest punishment I was empowered to inflict and in cases of second offences it was enhanced by flogging. In a few weeks peaceable citizens were able

to go about their business without molestation or threat of blackmail.

Some pitiable cases came before me. An elderly Hindu woman was once charged with attempting to commit suicide; an offence punishable by imprisonment. I asked her why she desired to take her life. Her story was a sad one. A son who maintained her had died a few months before; his widow had supported her by begging. This daughter-in-law had also died. The woman said she had nothing now to live for. I ordered her immediate discharge and a monthly allowance of 3 rupees from the Police box. When the order was explained to her she wept in gratitude. So long as I was Magistrate she appeared every month in my Court on the due date, and invoked blessing on my head. Maybe it was her blessing which followed me through life.

A young woman with a child in her arms was once charged with the heinous offence of taking a handful of rice worth perhaps a halfpenny from a grocer's shop. I was angry at the callousness of the prosecution. The woman's defence was that she and her child were starving, and tempted by the first sight of food she had snatched a handful. I made the same order in this case as in that of the old woman who had attempted suicide.

In the vacation of 1877, I went to England for 5 weeks and took with me the youngest son of Nawab Ameer Ali, who, I thought, would do well withdrawn from his immediate environment. With Lord Northbrook's kindly interest I got him admitted to Balliol.

Sir William Herschell, grandson of the Astronomer, who was retiring from the post of District Magistrate of Hooghly, was, on this journey, a genial travelling companion. We toured together through Italy, visiting the Lakes, and eventually took the diligence to Domodossola on the Simplon Pass. The only Inn was a primitive structure, built entirely of wood. We were able to get three cubicles, miscalled bedrooms, but a bath was a thing unknown.

On my return from England Sir Ashley Eden, then Lieut.-Governor of Bengal, sent for me to his official residence, and told me he was keeping the permanent appointment of the Presidency Magistrate vacant in the hope I would accept it. I thanked him for his kindness and said that although my ambitions lay in other directions I was willing to take up the vacant Magistracy on condi-

tion that an arrangement could be made which would more or less equalise the emolument of the two Magistrates. He readily acceded to my request and I assumed charge of the Office. Sir Ashley Eden was unquestionably the ablest Governor Bengal has ever had after Sir Frederick Halliday. Gifted with great perspicacity, sound common sense, and an unsurpassed knowledge of men, he was said by some to be rather hard and uncompromising to those serving under him, but I found him always kind, courteous and not at all difficult to please. I will give only two instances of his reasonable desire to meet the views of his subordinates.

He had entrusted me with the task of selecting a number of Honorary Magistrates for the Town of Calcutta. I submitted six or eight names. Among the Hindus was a prominent politician who had made himself obnoxious by violent denunciation of all Government measures, good or bad. Sir Ashley strongly objected to his inclusion. I pointed out first the salutary effect his appointment would have in imbuing him with a sense of responsibility, secondly to the fact that I was more or less pledged by my enquiry. Sir Ashley thereupon said, "in that case he must certainly be appointed".

On another occasion a report had been made to the Governor by the Deputy Commissioner of Police that I used the power of flogging very sparingly. Sir Ashley sent me a copy of this futile report and wrote himself, asking me to come and see him. I explained that in my view flogging should not be used as a deterrent; that it was loathsome as a punishment in ordinary cases, and that I had made up my mind not to impose flogging except for offences against women and children where the "rattan" would be applied without hesitancy or compunction. The Governor was perfectly satisfied and my Court was not exposed to any more prying.

In those days (I am afraid no change has taken place since) the dispensation of official hospitality for the general public to dinners, balls and receptions, was almost entirely in the hands of subordinates who naturally supplemented their inadequate income by outside "largesse".

One evening coming down from a large reception at Government House, I found Sir Ashley Eden in the Hall in a towering rage. He called out to me, "It is a great scandal that Government House should be invaded by such a rabble; will you undertake the task

of making a clearance." I agreed, if it was his wish, to go through the list though I feared, it would create a great flutter in the dovecots.

Unlike many who attained that high position he hated sycophancy.

The Port of Calcutta was then frequented by large numbers of sailing ships often under the command of hard, cruel shipmasters, and manned by sailors picked up indiscriminately at any port. The men were often surly, drunken, social outcastes. But as a Magistrate I got on well with all of them, even the surliest behaved themselves in my Court and did not dare to be otherwise than respectful.

About this time a sailing vessel named the "Ganges" came into the Port of Calcutta. Captain Code was the owner and master. And now began a duel between him and his men which became a real scandal. There were daily applications by Captain Code or his men; on the one side for disobedience of orders, on the other for cruelty and ill-treatment. Often the men bore visible evidence of brutality on their bodies. The Lieut.-Governor saw a report of the case, and the Government Prosecutor was directed to appear for the men who by this time had left the ship and had taken refuge with the Harbour-master. Captain Code was represented by a Counsel with a notoriety for browbeating Judges and Magistrates. The Master was convicted, fined and directed to leave the Port forthwith.

Towards the end of the year my colleague took leave to England and I officiated as Southern Division Magistrate. I then found that the respective work in the two divisions was disproportionate, the cases in the Southern being far fewer. I represented the matter to the Lieut.-Governor with the statistics of the preceding four years. He found my suggestions reasonable and practicable and gave me "carte blanche" for readjustment. In spite of a representation submitted by my colleague on his return from England, the new arrangement was maintained and facilitated the quick discharge of the public duties.

The question of a Juvenile Reformatory for Calcutta had been under consideration for some time. The acute need for one was understood by all interested in the administration of criminal law and

the moral well-being of juvenile offenders. I submitted a representation on the subject to the local Government, and the Reformatory question was taken up with the Governor's usual earnestness and energy. It did not take long to get the Reformatory Act passed into Law and about the middle of 1878 the institution was opened at Alipore with, I think, 20 boys, under my governorship. One Kirschner, a German, who had considerable experience of juvenile offenders and of their tactful treatment, was placed in charge.

I visited the Reformatory on Saturday afternoons, unless sent for on an emergency which was rare. Kirschner's control was firm and mild; and he was very successfully assisted by his wife in maintaining discipline. The boys were contented and seemed well-cared for. The Superintendent trained them in carpentry, turnery, tin-smith's work, gardening, etc., and there were evening classes for the elder boys. Good employment was found for many on the termination of their detention; only a few drifted back to vagabondage but even they came to Kirschner for help and advice in adversity.

For 25 years I laboured to make the Reformatory a beneficent institution, and I only severed my connection with Reformatory when I retired from the High Court Bench to England in 1904.

Among my duties as Magistrate was one which entailed a great sacrifice of time. As *ex-officio* visitor, I had periodically to inspect the Presidency jail. Apart from the official visits I had often to go and hear the complaints of the Europeans sentenced to detention under the Vagrancy Acts. For some reason they particularly wished to tell their grievances to me, perhaps because I listened patiently and did not treat them roughly or contemptuously, and they knew that so far as possible I would ameliorate their lot. For this small considerateness, the majority appeared grateful, few only were surly, but they were one and all respectful, which was not always, I was told, the experience of others.

Public Duties

I was, about this time, nominated as a Member of the Legislative Council of Bengal. There was then no electoral system. The spirit of democracy had not yet grown into an obsession, but the old system also had its drawbacks. Men were selected to represent

their people often on account of merit and personal worth, but not infrequently for sycophancy and unmeritorious services. Bengal, Behar, and Orissa, which then formed the one province of (united) Bengal, was an immense country. In Bengal proper the Moslem element constituted the majority. Their representation, therefore, if honestly and conscientiously undertaken, was not a light task.

Perceiving the complete lack of political training among the Moslem inhabitants of India, and the immense advantage and preponderance the Hindu organisations gave to their community, I had founded in 1877 the National Mahommedan Association. When soon some 34 branches were formed, spreading from Madras to the Punjab, from Chittagong to Karachi, the name of the Association was changed to the "Central National Mahommedan Association", and it became the *de facto* and *de jure* representative organisation of the Moslem community. Non-Muslims were eligible as members, but were not entitled to vote on purely Moslem matters.

That friend of India, Miss A.E. Manning, Secretary of the National Indian Association, did us the honour of becoming a life member. Babu Saligram Singh, a prominent Zemindar of Shahabad, and Babu Ganesh Chunder, a much respected solicitor of Calcutta, both Hindus, were members of the Committee. Our programme was primarily to promote good feeling and fellowship between the Indian races and creeds, at the same time to protect and safeguard Mahommedan interests and help their political training. I felt that great changes were impending in the system of Government, and that unless the followers of Islam prepared themselves they would soon be outstripped in the political race by their Hindu fellow-countrymen.

On my appointment as Magistrate I obtained Sir Ashley Eden's sanction to continue as Secretary of the Association. Its programme of work, its policy of conciliation of conflicting interests, its co-ordination of efforts for social, economic and political progress appealed to his far-sighted statesmanship and gave his full support to my labours. Our President was the Nawab Ameer Ali, while the venerable Sheikh Mahmud Khunji, and my esteemed and cultivated friend Sheikh Esau bin Qurtaas represented the rich and influential Arab community. The learned scholar, Shams-ul-Ulama Sheikh Mahmud Ghilani and Mirza Muhammad Khalil

represented the large colony of Persians; Haji Muhammad Zakaria the Memons, Sama-ud-Daula Bahadur the Upper India Moslems. These different elements, with many others too numerous to detail, with widely divergent mentalities, required the utmost tact and patience to bring them into line. We had to consider carefully the rapidly changing conditions affecting Moslem interests under British rule. I affirm with gratitude that one and all gave me unstinted help, and if I failed in some of my endeavours to benefit the community such as my ill success in salvaging the Musulman Waqf or dedications, it was not for want of sympathy and co-operation on the part of my colleagues, but the timidity of the Government. This was after Sir Ashley Eden left India. I may have to recur to the subject, which even after this lapse of years causes me sorrow.

If my memory serves me aright it was in 1878 that the Government decided to appoint a Commission to enquire into the affairs of the Ex-King of Oudh.[1] That unfortunate sovereign, in the hands of evil advisers, soon became hopelessly involved in debt, and most of the allowance granted to him by the British Government was sequestrated by his creditors.

His children who were supposed to be receiving education from a number of tutors in fact received none.

The Nawab Ameer Ali, who bore the title of Vizier, had in reality no power either to control the capricious extravagance of the Ex-King or to prevent the harpies who surrounded him from [*sic*] what was practical robbery. In these circumstances a searching enquiry became necessary to devise, in the first place means of extricating the Ex-King from his pressing financial

1. This "Ex-King of Oudh" was Wajid Ali Shah, still remembered in his old Kingdom for reckless extravagance and weakness of character. He was notorious for his foundness for low company, making favourites of bards, dancers and singers. The state of his Kingdom was the excuse for his deposition and its annexation by Lord Dalhousie in 1856. The sledge-hammer methods of dealing with the often usurped rights of the Taluqdars or Feudal Barons of Oudh, who commanded a good deal of feudal loyalty in spite of their tyrannical methods, and with this the disappointment of the 70,000 of the East India Company's Sepoys who were recruited from Oudh at the loss of their special privileges due to the annexation, were contributory causes of the great Mutiny of the following year.

difficulties, in the second place to contrive a check on his own extravagance and the peculations of his courtiers. The commission was composed of Mr. F. Peacock, I.C.S., Chief Secretary to the Government of Bengal (as Chairman), of Colonel Mowbray Thompson,[1] Agent to the Governor-General, with the King, and myself. We had some twenty-five sittings and examined a host of witnesses whose evidence was taken down in writing by a Secretariat Clerk. For these we had to drive at about 7 a.m. to Garden Reach, where great residences built by the Company's magnates in the 18th Century line the River Hooghly, hold our sittings for about two hours and return for breakfast before going to our various official duties. This made a tiring day, but it is quite usual in India for hard-worked officials to be saddled with extra duties of this kind. Often, too, on my evening rides, I had to visit the jail.

The work of investigation lasted well into 1879, when the Commission was able to devise a fairly good scheme; it, however, did not please the King. He was especially angry with me for allotting Rs. 5,000 or Rs. 6,000 out of his allowance of Rs. 100,000 for the education of his sons. I had pressed on my colleagues the absolute necessity of giving the young generation a sound education to make them worthy citizens, pointing out that to let them grow up as mere drones would be a source of danger to the State, and a calamity to themselves. This was agreed upon; a suitable residence was secured; an English principal and excellent masters and maulvis were selected. The Institution thus commenced under very propitious circumstances. Alas for the vanity of human wishes! before I left India it had lapsed into inanition chiefly due to Government indifference, and has ceased to exist.

The year 1879 was an unusually busy one for me as I was appointed Chief Presidency Magistrate. This, with the Bengal Council work combined with the Oudh Commission of Enquiry, taxed my strength and I was advised to take leave on Medical Certificate in December. It was rather a bad time of the year for

1. Mowbray Thompson was one of the only four survivors of the defence of [Caw]wnpore in the Mutiny: the others were Captain Delafosse and two Irish [p]rivate Soldiers of the 32nd Regiment, D.C.L.I.

Europe but I was recommended two winters in England with a summer in between.

The winter of 1879 was unusually severe. We were surprised to find it snowing at Suez. For some reason our steamer could not pass through the Canal and we were landed there as guests of the P. & O. Company. We spent a night in chairs at the decayed hotel, the beds being impossible to sleep in. Two Egyptian servants brought breakfast in the most leisurely fashion to the 100 famishing passengers; no amount of "swearing" would hurry their pace.

The train to Alexandria consisted of discarded carriages of the British Midland Company, the cushions were old and musty, and we had to stuff the windows with paper to keep out the wind. It travelled very leisurely, time seemed of no consequence, and we stopped at every station to Alexandria.

On eventually arriving at Bologna from Brindisi, the cold was intense with the snow piled in the streets almost as high as the ground-floor of the Italian houses. Hot water was unavailable and a hot bath a luxury impossible to obtain. On the train to Paris the water was frozen and the conductor suggested our washing in claret! At the big stations we could get hot food, but the astute Italians with true cunning took payment in advance and they gave us soup which was so hot that we could not drink it in the few available minutes. The snow in the streets of Paris was as deep as in Italy, but the French made some attempt at clearance whilst the Italians left nature to take its course.

It was delightful to be in England again, and for the first time in my life to enjoy freedom from pressing work with many months of leisure before me. My old friends gave me the kindest of welcome, and I made many new ones.

I had the privilege of being a frequent guest at the house of the famous Captain Shaw, the acknowledged organiser of the London Fire Brigade, whom I met at Abbey Lodge. He was a most entertaining host and was gifted with remarkable insight into human character.

In the house of Mr. Sutherland Edwardes, I met the famous War Correspondent, Archibald Forbes, and the then celebrated George Augustus Sala, than whom a more humorous or entertaining man I scarcely ever met. One of his stories convulsed us with laughter

and is worth repeating. In a western town of the United States his eye caught the following inscription on the glass panel of a shop: "No trust, no bust, no hell; we only trust God, everybody else pays cash"! He was so tickled, to use his own words, with the oddity of the inscription that he went into the shop to ask for enlightenment. He was told that they never gave credit as it led to the bankruptcy court; that's what they meant by "bust"; the rest was plain enough.

Archibald Forbes had recently been at Plevna and gave marvellous accounts, of the heroic defence of Osman Pasha and his inferior numbers against the Russian hordes, throwing them back time after time. The defence of this obscure Bulgarian town was perhaps the first example of what really modern weapons and entrenchments could effect, and showed to those who had sufficient observation what horrors had been added to the possibilities of war. Sutherland Edwardes had been a "Times" correspondent with the Prussian forces during the Franco-German War, and was the author of a very interesting book called "The Germans in France". His son Gilbert Edwardes was later a prominent official in the London Post Office.

Early in the summer of 1880 I made the acquaintance of Mr. James Knowles, which grew into long and lasting friendship. Mr. Knowles made himself known to me at the Reform Club as the editor of the "Ninenteeth Century". After a talk on Indian politics he asked me for an article for his Review and left to me the choice of a subject. My first contribution to the "Nineteenth Century" was published by Mr. Knowles under the title of "Some Indian Suggestions for India". It attracted the notice of Lord Hartington (the late Duke of Devonshire), then Secretary of State for India. At his reception at Devonshire House he talked to me for some time on Indian matters. A few days later at his request I went to see him. He put to me a series of questions covering a range of subjects from education to a larger association of the Indian element in the administration of the country. What struck me in Lord Hartington was his enquiring mind, readily open to the reception of new ideas. Unlike many administrators he even appeared willing to accept suggestions. I ventured to observe, in reply to some of his questions, that after the suppression of Mutiny the British

Government made a mistake in not associating, in administrative activities, new elements that were emerging from the chaos. He asked for explanation. I said that if instead of basing British rule entirely on the old conservative forces which were supposed to be in its favour, the younger generation had been taken into counsel at the earliest possible stage of development, the growing disposition to be captious and hypercritical would have been kept under.

One of the points on which I laid stress, and which Lord Hartington appeared to approve, was the widening of the Councils and giving them a more popular character. Had he been allowed by circumstances to carry into effect what I believe he had in mind, India would have been better prepared for Mr. Montagu's experiment in democracy. The educated classes would have received a solid foundation of political training, and realised the value of compromise and mutual toleration in a country, or continent, replete with bitter divergencies. It was not his fault that the proposition did not mature as he wished; the usual *vis inertiae* frustrated his design.

I have never forgotten a dinner at the house of Mr. George Cotter Morrison, the author of "The Religion of Humanity" and of the "Life of Gibbon," and the father of Sir Theodore Morrison. The guests included George Meredith, Bulwer Lytton, and other men of letters whose names stood foremost in English thought of the time. It is not an exaggeration to say that George Meredith's conversation kept us spell-bound to a late hour.

Lord Stanley of Alderley has been described by his traducers as an eccentric man. I came to know him well and found him remarkably shrewd, well-read and broad-minded. His eccentricity in the minds of his detractors consisted in the fact that he had avowedly abandoned the traditional creed of Christendom and had embraced Islam. We had thus, of course, many ideas in common.

I used to be frequently at Abbey Lodge. Mr. de Bunsen's enquiring mind interested itself greatly in Buddhism and its influence on early Christian conceptions. He was wont to refer to the deadening effect of Brahmanism on the Hindu mind after the destruction of Gautama's religion in India, its original home, as the sole cause of the decadence which overtook Hindu India. Very little can be said against this view, which seems well supported

by the facts of history.

I came to know Mr. (afterwards Lord) Bryce and was on friendly terms with him until he took up the Armenian cause without giving a thought to the other side of the question. The Armenians suffered terribly, but, as I repeatedly pointed out to Lord Bryce, much of their misfortune was brought on by their adherence to revolutionary movements originating in Russian territory. Previous to this they had lived in amity with their Moslem neighbours. As early as the XVth Century four thousand Armenians had been buried alive by the conqueror Tamerlane for assisting the Ottoman Turks in the defence of Sivas.

To Lady Hobhouse I believe I owe among many kindnesses my entree into the Salons of Lady Hatherley and Lady (Roundell) Palmer (afterwards Lady Selborne). Among prominent politicians of those days I was often in contact with Mr. John Bright and his brother Mr. Jacob Bright, Mr. James Stansfeld, and other leading Liberals.

It was a brilliant season in London, as seasons then were, with much movement in political and literary circles, music and art playing a great part in it all—the heyday perhaps of the aesthetic movement. Oscar Wilde, its protagonist, was much to the fore, and was frequently met in society. His affectations and attitudinising produced a certain aversion to the man.

In the midst of this I was writing the "Personal Law of the Mohammedans" which I amplified a few years later and which it now incorporated as the second volume of my work on Mohammedan Law. Having always been an early riser, I worked at it in the early morning. This habit has enabled me still in my old age to get through a mass of work, chiefly literary, without strain or irksomeness, and without interfering with my legal avocations.

At the house of some friends on Friday the 16th July 1880, I met the lady of my dreams who a few years later did me the honour to become my wife.

On return to India after a year I felt that the time had arrived for me to choose whether I should stagnate in the performance of work I dislike or resume practice at the Bar with its attraction of variety.

Sir Ashley Eden relieved me of my office in June 1881, with the

kindest of messages.[1] I retained my seat on the Bengal Council. I felt that perhaps I had done something to improve conditions; the police were more careful in their prosecutions, the slums of the Northern Division which abounded with hooligans and bad characters were more orderly; respectable people could go about without fear of molestation and the Reformatory was established.

The great Dacca Waqf Case, in which I had a special retainer for my good friend Nawab Ahsanoolah who was a defendant in the suit along with his father, just then cume on [*sic*] for hearing. The Advocate-General, Mr. J.H.B. Branson, and I were for the defendants. Our client had placed a fine house on the banks of the river and three carriages at our disposal. Meals and servants were provided. A nice Turcoman cob with good manners was every morning sent from the Nawab's stable for me to ride.

We had very heavy work and my task in coaching my leaders in the intricacies of the Mohammedan Law of Waqf was by no means a light one.

The question involved in the Mysore Appeal on which I was next engaged was of considerable importance, not merely to the two parties. The father of Prince Halim-uz-Zaman, Prince Gholam Mahommed, the youngest son of Tippoo Sultan, was a mere child when Seringaptam was stormed and taken by British in 1799. The entire family were brought first to Vellore and then to Calcutta, and a not over-generous provision was made for them.[2]

1. Extract from a letter dated June 13th, 188 [*sic*] - from Edward Henry, C.S., then Private Secretary to the Lieut.-Governor of Bengal, afterwards Sir Edward Henry, Commissioner of Police of the Metropolis:

"The Lieutenant-Governor desires me to take this opportunity of saying that he has fullest appreciation of the admirable manner in which you have performed your duties as Magistrate of Calcutta and of the independence and tact with which you have maintained your position. He will always be glad to forward your views in any way in his power and will continue to avail himself of the advice and the information which you have always been "so ready to give on matters affecting the welfare of your countrymen. I am, Yours very truly,—Ed. Henry."

2. Prince Gholam Mohammed went twice to England, as did once the mother of the deposed King of Oudh, to plead in person his case before the governing body of the Empire. Queen Victoria received him with gracious kindness, which must to some extent have softened his disappointment at the rejection of his claims. (Note *re.* Hickey's Memoirs on the subject.)

Whilst engaged in this Mysore Case, the Lieut.-Governor sent for me to take my advice as to the desirability of intervening to bring about a settlement in the Dacca Waqf Case. The Commissioner of the Division had, I believe, strongly urged a settlement; and I suggested that if the Governor himself were to take up the matter the *amour propre* of both parties would be satisfied, and there would be a reasonable prospect of compromise.

It is to Sir Ashley Eden that the Nawabs of Dacca owe the continuation of their existence; for even if my client had won, the cost of the litigation would have been ruinous. Moreover the result of the case was by no means certain, for much depended both in India and in England on judicial idiosyncrasies. Lord Hobhouse's judgment had laid down such principles as to the Law of Waqf, that in 1913 the legislature had to enact a special law, Act VI of 1913, to validate family Waqfs. Men who had no acquaintance with Mohammedan Law looked at questions relating to Moslems from the English point of view and tested them by English standards based on principles of English Law. I have always considered that when a Judge has to deal with the law of any particular people he must set on one side all preconceptions and bring to his determination a mind wholly free of ideas fostered by any other system. He must throw himself into the spirit of the law he has to administer. This quality, though very rare, is in my belief essential to the administration of justice, especially in the case of India.

It may be of interest to the readers, if there are any, of these recollections, to know that 45 years later, the son of Nawab Ahsanoolah impugned the validity of the settlement, and miserably failed before the Privy Council. I withdrew from the Board of the Judicial Committee during the hearing of this Appeal, as "one party" objected to my presence. The judgment of Lord Cave, who presided, was a masterly exposition of the principles governing family arrangements among Moslems.

I would here like to record my acknowledgment of much kindness and hospitality I received on occasions when I was called upon to appear in Courts in the country districts presided over by

judges of the Civil Service.[1] Many times I stayed as a guest in the houses of my clients, mostly English planters, or agents for some of the large British firms in Calcutta, who were most hospitable and considerate.

Supreme Council and Bench

1883 was a momentous year for India. It was during Lord Ripon's viceroyalty that a Memorandum had been submitted to the Bengal Government pointing out the anomalous position occupied by magistrates of Indian nationality in dealing with cases in which

1. The following extract from a letter dated 11th May 1884 shows what was sometimes involved by accepting a Brief in those days outside the Presidency Towns:-

"I left Calcutta at 9-30 p.m. by the mail train, and arrived at Raneegunj at 2 a.m. and then transferred myself to the tender mercies of the Dawk Gharry. I crossed the Damoodar (a river) fast asleep. On reaching Gondashary which is a dry sandy bed of the river in the hot season, we found a roaring torrent, flooded by the overnight rains up in the hills. The ponies were driven into the rivulet, but the current was too strong and so 20 coolies were employed to drag us across. It took a full hour to traverse 80 yards of ground. There were some very pretty girls bathing in the current who were nearly drifting off. I sent my coolies to their assistance—but the Naiads would not deign to accept their help and soon regained the banks themselves. It was very funny. We arrived at the Circuit House at9 a. m.; at 12 I went into Court, and had to cross—examine the sub-inspector of police who investigated the case against my clients. He is a most peculiar character. I asked him—'Was it possible for the Prosecutors' people to have concealed the arms in the house of the defendants! Yes or No !' He said—'That requires explanation'. I said 'I don't want any explanation, simply yes or no.' He then said, 'No'. When I asked why he answered 'No' he said 'because the villagers guarded the village'. I said 'Do you know that of your own knowledge'? Here he began, 'Knowledge, Sir, is preventative and representative.' I then asked, 'I simply want to know, do you know of your own knowledge?' At last he confessed 'No'. After that I let him down gently.

I dined with the Collector (District Magistrate), and his wife. But for this I would have gone back that very night. As it was I started on Friday at 10 a.m. hoping to catch the 4 p.m. train at Raneegunj, but in the meantime the Damoodar had risen and we, carriage and all, had to cross in a boat, which took an infernally long time, therefore missed the 4 p.m. train and had to stop at the dirty hotel there. It is an evil place. I managed to get an hour's sleep and got up at 1 a.m., woke my servant with considerable difficulty, got some coolies and told him to take the luggage to the railway station. We caught a train for Calcutta at 2 a.m. I slept till 5 and then got up, washed, packed my bedding, and prepared for arrival at Howrah, which we reached at 5-30 a.m. . . . Had expected that I would have to remain at Bancorrah for 20 days, but my clients begged me to get the case adjourned in order to enable them to go home to pay the Government Revenue, or else their property would be sold up. Therefore, I may have to go up again."

British subjects were accused of offences committed in British India. They were deemed competent to deal with such offences in the Presidency towns, but the same magistrates were not competent to exercise jurisdiction outside the Presidency towns. Sir Ashley Eden saw the anomaly and strongly urged the Government of India to remedy it. Lord Ripon, on assuming office, agreed with him. A carefully worded section was to be introduced in the Criminal Procedure Code to remove this anomaly. As soon as it became known that the Government of India had the proposal under consideration, the Anglo-Indian Community were thrown into a state of panic. To judge of the feeling to which the projected measure gave rise, one may refer to the pages of Hickey,[1] who was actually despatched to England in the previous century by the "Settlement," to prevent the passing of an Act with the object of placing "natives of India" in possession of equal rights with the "settlers".

On this occasion there was wild talk of seizing the person of the unpopular Viceroy and deporting him to Australia. At the time there were three Indian members in the Viceroy's Council—Maharaja Sir Jotendro Mohan Tagore, Rai Bahadoor Kristo Das Pal (the Editor of the "Hindoo Patriot"), and myself; and we naturally approved of the projected measure as a step in the right direction. It not only equalised the position of a Mofussil Magistrate of similar training and standing with the magistrate in the Presidency towns. It removed an absurd race-stigma, without in the smallest degree affecting the safeguards provided by law against the miscarriage of justice likely to be occasioned by race-prejudice.

At the time Anglo-Indian feeling ran so high that the Government of India resolved to jettison the measure. This was chiefly done on the advice of Griffith Evans of the Calcutta Bar, also a member of Council, given to Sir Auckland Colvin. The question then arose as to the attitude of the Indian members. I informed Mr. Illbert the Law Member, who was responsible for the Bill, at a meeting of the Select Committee on the Bengal Tenancy Bill, that we should emphatically oppose Evan's motion. This was conveyed to Lord Ripon, and that afternoon he had an interview with us. We explained our position; Lord Ripon was very frank; he said in

1. Hickey's "Memoirs", Vol.

effect that if we persisted in our opposition, he would have to resign, and asked us to consider whether his retirement should be to the advantage of India. We asked time to consider the matter and consult representative men. Next evening we held a large meeting and after a stormy and somewhat heated debate, I was able to carry my motion for a compromise. Certain safeguards were provided for the trial of Europeans in the Mofussil Courts. At the same time a section was introduced into the Criminal Procedure Code giving to the accused the right to apply to the High Court to transfer a case, if he apprehended a failure of justice.

In the same year the young Nizam of Hyderabad, who was not yet installed on the throne, came to pay his respects to the Viceroy. Although he was only 19, he was anxious to obtain his installation as Ruler. The "politicals" as usual raised many difficulties. Lord Ripon was a statesman of great perspicacity, and did not contemn the advice of persons outside the official ranks. He took pains to ascertain the general Moslem feeling on the subject, and acted upon it. Both the Nizam and his young Minister were installed at the same time.

Mr. Wilfrid Scawen Blunt and Lady Anne Blunt who had recently visited Ibn-ur-Rashid, the capable ruler of Hail, in Central Arabia, were touring India. He was very unpopular in England by reason of his avowed sympathy with Arabi Pasha, the Egyptian patriot. Naturally he aroused enthusiasm among Moslems of all classes. He had brought several introductions to me from mutual friends and I endeavoured to make his and Lady Anne Blunt's visit pleasant, and our friendly relations continued for many years until I discovered, to my surprise, and natural regret, that the man to whom I had shown much courtesy and good-will had, in his book of travel, actually imputed to me unworthy motives. This fact came out in a peculiar manner; a weekly paper called "India" published in London in the Congress interest, and of which the editor was an Englishman, whom I had gone out of my way to help in his youth in Calcutta, published under the heading of "Greatness in the Making" a number of passages from Blunt's book in which I was traduced and represented as a man of weak and shifty character; and my attitude about Lord Ripon's Ilbert Bill was grossly misrepresented. After that I felt it impossible to maintain friendly relations with either the author or the

dissemintor.

In August of 1884 I was briefed for the defence of an important trial before the Sessions at Karachi in Sind. In spite of the immense distance I felt it my duty to undertake the journey. It also gave me the opportunity of visiting Lahore and seeing all the interesting architectural remains of the Mogul Emperors. A day had to be spent enroute at Multan, one of the hottest places in India, where people sleep on the watered roofs.

The circumstances of the case at Karachi had created a great stir among the Moslems of the Punjab and Sind. From Lahore to Sukkur where we crossed the Indus, I was waited upon at every station by crowds of people of all classes bringing flowers and fruit, and presenting addresses. On the ferry-boat at Sukkur a deputation read me a glowing welcome to their ancient city. These disconcerting interruptions made progress uncomfortable. The fate of some hundred and fifty of the most respectable citizens of Sind depended on the success of my efforts to rescue them from the network of conspiracy in which they had become involved.[1]

A Hindu married woman had fallen in love with a Moslem and run away from home. She came to the local mosque and asked the Imam to make her a proselyte to his faith. The Imam refused and handed her over to her relatives who had pursued her. On her return to her husband's home she appears to have been cruelly beaten. She ran away again and was once more recaptured. The complainant's story was that the Hindu crowd who were taking the wayward lady to the temple where she had to do penance and was to be received back into caste, were attacked by a large body of Moslems, some on horseback, others on foot, all armed with swords, spears, firearms, or lathis (quarterstaffs) and that the woman was forcibly carried away by the assailants.

Some days later she was recaptured and brought before the

1. Extract from a letter dated Karachi 4th September 1884:

"At Rohri the station on the other side of the river to Sukkur, a deputation consisting of several thousand people waited on me. and presented me with a flaming address. At Sukkur (an hour after) I received another address, and another deputation, and so on at every station with garlands and bouquets of flowers and thousands to kiss my hand. I arrived here at 7-30 a.m. on Sunday and was received by a grand deputation and a brilliant address. Ten thousand Mohammedans had gathered to kiss my hand, and when I appeared in court the crowd was terrific."

Subordinate Magistrate to whom she told an astounding story. She denied the alleged attack, and stated that on the way to the temple she had seized an opportunity of escape; that she had been horribly ill-treated and did not want to return to her husband as she was certain to be murdered; and that she had been hiding ever since her escape. The woman was made over by the complainant Magistrate to her family. This of course gave them a splendid opportunity for "tutoring" her, in consequence of which when brought before the superior court she retracted all her statements to the Subordinate Magistrate and implicated all the accused as having participated in the attack on the party which was taking her to the temple.

The Magistrate thereupon committed the accused to the Sessions Court for trial. They included the prominent men of the locality and the neighbouring villages and townships. Had the prosecution succeeded in "netting" these men, it would have proved a splendid "scoop," and the Hindu money-lenders and speculators would have gathered a fine harvest. The Sessions Judge, Colonel Grant, was a fine specimen of the British Military Officer. He was, naturally, not a great lawyer, but had sound common sense, perspicacity and knowledge of men with whom he had to deal. It is a pity that the administration of British India is now deprived of men of this type.[1]

Under the Law the case was triable with the aid of what are called in the Procedure Code "assessors". Colonel Grant, the Judge, would not permit either a Hindu or a Moslem to have anything to do connected with the trial, in view of the communal issue involved. He chose as assessors a European, a Parsee, and a Eurasian (Anglo-Indian as now styled since Lord Hardinge applied the old term, then denoting Britons resident for the time in India, to the domiciled European community).

The Hindu community, it was reported, had subscribed a lakh and fifty-thousand rupees (then about £15,000) for the prosecu-

1. Military officers were formerly taken into the administrative cadre of what were known as non-regulation Provinces, such as the Punjab, Sind, Oudh and the Central Provinces. They were especially selected officers of the British Indian Army and therefore had opportunities of acquiring knowledge of the country, and often made excellent administrators and judges.

tion. The Moslems were comparatively poor, and consequently made a smaller display of legal talent. Russell of the Bombay Bar, afterwards a High Court Judge, was briefed for the prosecution. My opponent appeared to labour under great nervous excitement. He was not only rude to counsel for the defence, but was discourteous to the Bench. and waspish to the assessors when either of them asked questions necessary for the clear understanding of facts. In opening my address for the defence, I was constrained to remark that the intemperateness shown by my learned friend was evidently due to the climate of Bombay, that in Calcutta we were blessed with a more temperate atmosphere. This enabled things to proceed more calmly. I called no evidence for the defence, as, I told the Court, I hoped to shew from the evidence for the prosecution that the story was a tissue of falsehoods. The case lasted, if I remember rightly, 12 days. I began my address on a Friday morning and continued speaking until next midday. By then I felt that I had broken up the case for the prosecution and that acquittal was pretty well assured. My opponent foundered for the remaining half of the day, but made no headway. On the Sunday morning I left to catch the Mail steamer on my way to England. Immediately on my arrival, even before I landed at Bombay, I was met by Mr. Hassan Ally's (my junior) most welcome telegram "ali acquitted".

I had spent a very pleasant though extremely strenuous time under Mr. Hassan Ally's hospitable roof. On the Sunday after my arrival in Karachi I was taken to a public meeting convened by the Moslem notables of the city, to deliver an address on Mahommedan education in Sind. The meeting was crowded and numbers of people could not gain admission. My speech was in Urdu; and I am glad to say had the effect of fostering a much desired movement. Mr. Hassan Aliy and his colleagues were soon able to lay the foundations of the Islamic College in Karachi, which I believe is still flourishing.

Among those whose acquaintance I made during my stay there was Sirdar Shere Ali Khan who had been Wali or governor of Kandahar under Ameer Shere Ali. He had been expelled by Ameer Abdur Rahman, and took refuge with his Family in Karachi. A more cultivated or courtly man I have not met either in Europe or in the East. His knowledge of the West was derived

from books or newspapers, translated and read to him, and was remarkable. And his questions regarding the systems of government in European countries and the condition of the people, showed keenness and perception. His youngest son, aged about 18, handsome, straight as an arrow, with the eyes of a hawk, interested me and I remarked that, if life was vouchsafed to the lad and he was not won over by Abdur Rahman, he would be a thorn in the side of the new Ameer's family.

A month later I was married in London after an engagement of four years.

That year there was a severe epidemic of cholera in Italy involving quarantine and a diversion of mail passengers. We therefore travelled by Vienna and Trieste, and thence by the Austrian Lloyd Steamer "Vesta" to Alexandria. This was a small paddle-steamer which carried a few saloon and many deck passengers and cattle, to Corfu. Of the Italian-speaking crew I have not forgotten the idyllic name of the stewardess who had sole charge of the first-class passengers—men and women. "Lucia" was old but by no means infirm, and was kept on the go all day serving meals in the cabins to prostrate passengers during a typical Adriatic storm; and ministering to them most of the night.

Among our fellow-passengers were Prince Charles of Sweden, his secretary and his aide-de-camp, all exceptionally tall men; and there was some speculation as to how they could fit into their tiny cabin with its unusually short berths. Another interesting fellow-passenger was a Count Tolstoi, of the household of the Czar, who spoke nine languages. The Austrian Lloyd provided no luncheon; 4 o'clock was the dinner hour, and a "nursery tea" with boiled eggs handed in a basket finished the day's meals.

In those days arrival at Alexandria was fraught with some danger of being torn to pieces by rival porters soliciting for partronage; and after the turmoil of landing and a night's railway journey across Egypt, it was a welcome change to embark in the P. & O. "Venetia" calmly awaiting our arrival with the mail at Suez. We made a short stay in Bombay with the pioneer lady-doctor—Dr. Edith Peachey of the Cama Hospital.

Not long after my wife's arrival in Calcutta she took up the problem of providing efficient medical aid for Indian ladies who,

owing to social restraints, would not be attended by male physicians.

When the Countess of Dufferin organised her great "Fund for Medical Aid for the Women of India," the lady-doctor who was on her way to start this practice was called upon under the Fund to take charge of a dispensary and cottage hospital for women and children, which was I believe the first of those beneficent institutions which were soon to be opened all over India. From this small beginning, which in the second week of its existence attracted 100 outpatients a day, grew the present Dufferin Hospital for women in Calcutta, which has several times had to acquire larger buildings in order to meet the growing needs of the people. One of the crying necessities of India at the present day is still for more and more qualified women doctors. There are numbers, it is said, ready to take up the good work which now comes under the control of a government department.

I was obliged in 1885 to go to Simla for the passing of the Bengal Tenancy Act. A great responsibility rested on me as a member of the Select Committee charged with the duty of guarding interests of the *ryots* (tenants), a trust which I succeeded in filling in large measure. The Act from the *ryots'* point of view effected a considerable improvement in their legal rights and position. Babu Peary Mohan Mookerjee (created a Rajah and C.S.I. in 1887) was the champion of the land-holders and on the passing of the Act complimented me on my consideration for their safeguards.

We spent that autumn at Simla. It was not an unusual thing to be held up by leopards crossing the narrow paths when we were going to parties at night, also to see concourses of large grey monkey's on the hill-tops by day. And it was quite a daily diversion to observe the small monkeys which abound near the houses on the hill, considered sacred to them, peering over the caves into one's room, curious to watch the manipulation of a pair of hair brushes.

On one occasion when we were out for a walk, along the wooded paths, two innocent-looking small Himalayan wolves sauntered across our way.

Of the people we met during our comparatively short stay in

the "Abode of the gods," I retain a vivid remembrance of Sir William Aitchison, then Governor of the Punjab, and of his old-world courtesy. He was a civilian who maintained all the traditions which made the mutual relations between English and Indian cordial and friendly. His memory is still fresh in the hearts of the people of the Punjab. After the Government of India Resolution of the 5th March 1885, he established eighty scholarships for Moslem students in his Province.

Sir Rivers Thompson, Lietuenant-Governor of Bengal, likewise encouraged English education and established 120 scholarships for Moslem subjects of the great Queen. This Resolution has a history of its own; and as the Moslems of India have short memories, I may mention its genesis. Ever since my return home I have been studying the painful subject of Moslem decadence under British rule—both its cause and its far-reaching effects. As I have already mentioned, the East India Company had, in about 1760, under a grant from the Mogul Emperor, taken over the control of the revenues of three of the richest provinces of the Mogul Empire. This involved administration by the Company's servants. In 1802 Lord Lake obtained from the Mogul Emperor for the East Indian Company the title of "Vakil-i-Mutlak," and the delegation of absolute authority as a deputy of the Sovereign, which meant the complete supersession of the Mahratta Chief who was expelled form the Capital. Thus was a "trading company" to use Lord Brougham's expressive language. "Installed as a sovereign power over an Empire". From this time forth the Moslems held a prominent position under the Company's rule. The causes of their declension and their gradual and steady eviction from place and power were traced in an article of mine in the "Nineteenth Century" of June 1882. which evoked great wrath from the "Hindu Patriot", usually a well-balanced paper. Other journals were actually violnet in their expressions. Upon this article a "Memorial of the Central National Mohammedan Association" on the subject, to the Viceroy, was based. Lord Ripon left our representation to be dealt with by his successor. I was accorded the privilege of seeing the draft reply before the question was finally disposed of. Its equitable treatment of the Moslem claims had a good effect; but the pendulum has swung back in the

course of the forty years which have elapsed from that date.

Sir Syed Ahmed at last realised the danger of confining the intelligence and activities of the Moslems to a purely academical education, and of keeping them aloof from political training. Shortly after that he established the "Moslem Defence Association," but the ground that has been lost could never be regained.

The "Central National Mohammedan Association" pressed for the appointment by the Government of a Mohammedan Endowments Committee, to consider how such endowments were being utilised to promote the welfare of the Moslem people. Our submission for the consideration of the object of the Committee was set forth in a Memorandum which bore the signature of the pre-eminent men among Moslems in Bengal. Pursuant to the Resolution of the Government of India of 1885, the Eastern Bengal and Assam Local Government issued a Resolution which is worthy of note.[1]

During these years I managed in spite of heavy professional work to contribute several articles on Indian questions to the "Nineteenth Century". One on the "Land Problem of Bengal" drawing attention to the needs of improvement in the condition of ryots led to the passing of the Tenancy Act mentioned above.

Shortly after Lord Lansdowne's accession to the Viceroyalty he offered me the Judgeship of the Calcutta High Court vacated by Sir Romesh Chunder Mitter, a man gifted with strong common sense, a quality of inestimable value in a judge. His son, Binode Chunder Mitter, a young man of great capacity, began his practice before me. By his ability he has won great distinctions; he is Sir Binode Chunder Mitter and is said to be commonly called the "Lion of Bengal," though my recollection of him is more like that of a lamb.[2]

I experienced the usual hesitation of a barrister to abandon his practice—but yielded to the advice of friends on the Bench.

The Chief Justice for some time would not regard me as a "Barrister-Judge" and I was not allotted to the "Nisi Prius" Bench

1. Not found.

2. Sir Binode Chunder Mitter was sworn of the Privy Council for service on the Judicial Committee thereof, in the post left vacant by the death of the author.

on the "Original Side.[1]" However, when the Chief Justice found that the work had become much congested he sent me to clear off the arrears. Barristers and solicitors alike assisted me in accelarating the disposal of the work by not taking up unnecessary time once they saw that the point of their arguments had been grasped. In six weeks the list was reduced to normal dimensions.

When the old Supreme Court was abolished in 1869 and replaced by the "High Court," it was vested in its ordinary original Civil and Criminal Jurisdiction with all the powers and functions of the Supreme Court. Until quite recently "barrister-judges," i.e. judges

1. It will be seen from the letters below that this matter was rectified:

Copy of letter from Sir Comer Petheram dated Calcutta, 6th August 1893.

Dear Mr. Ameer Ali,

Until the matter was mentioned the other day I had quite forgotten that the judges were classified in the return. I have asked Mr. Carnduff to circulate a proposal on my part that the portion of the form which contains the classification should be omitted in future, and if the judges agree this will be done; if they do not, and you think the return is incorrect, I would suggest that you should bring the matter before the Court, as the Court alone can change the form in use.

With reference to the remaining portion of your letter, I can only make the reply which is suggested by the letter itself, that the responsibility of forming the various benches rests with me and that in forming them I have acted and shall continue to act to the best of my judgment.

I am, my dear Ameer Ali,
Your's sincerely,
(Sd.) C. Petheram.

To which the author replied:

Dear Chief Justice,

I beg to thank you for your reply of the 6th instant to my letter of the 4th.

I am afraid you have misapprehended the purport of my letter. I am quite indifferent as to the form of the returns. My protest was directed against my misdescription as a non-barrister-judge.

As regards the subject of my exclusion from the Original Side of the Court, also, you seem to have misapprehended my meaning. What I desired to point out was that, taken in conjunction with the misdescription in the Returns, my exclusion appeared to be part and parcel of a deliberate and settled policy to ignore my status as a barrister-judge. In the one case my name is incorrectly returned to Government as a non-barrister-judge and, as a corollary to this misdescription, I have been invariably and persistently excluded from taking any part in those duties which are usually performed by the barrister-judges.

Under the circumstances I cannot help feeling I have a very valid ground for complaint and protest, though I have to thank you for the courtesy which has induced you to endeavour, however imperfectly and partially, to remove the cause of my complaint.

trained and qualified in England, only sat on the "Original Side".

It always gave me pleasure to extend a helping hand to junior counsel commencing practice at the Bar, for a judge may easily make or mar a young man's career. I knew this from my own early experience, and therefore tried to help juniors if I found them struggling in difficult waters. And, though in the profession memory is proverbially short, there may still be a few who remember.

One of the interesting cases before me was a Salvage Case[1] in the Admiralty Jurisdiction which I tried without assessors. There were many expert witnesses and it lasted over four weeks. My judgment, given orally, took me the whole day. If I am not mistaken there was no appeal.

Another case[2] that came before me in which questions of English Real Property were involved, was illustrative of the different legal systems in force within the geographical boundary of the then metropolis of India.

Whilst I was engaged on the "Original Side" the Criminal Appellate work fell into arrears, the list having swelled to great dimensions, and I was called upon to assist in dealing with it. My very pleasant colleague, Mr. Justice Pratt, sat with me and seconded my efforts to reduce the file. We asked counsel and pleaders to give us a concise statement of the cases for the prosecution and the defence respectively; then to read the summing up of the Judge or the judgment of the lower courts, and if they so desired to draw attention to the evidence and question of law they wished to raise. Our procedure was eminently successful; it satisfied the profession, whilst it led to economy of time. In less than six weeks we succeeded in wiping off the arrears.

A form of crime which happily was not then common in India had become frequent in the unruly district of Rajshahi. Bands of hooligans, I regret to say not all of them young, took to what is called in the annals of crime "gang rape." This required stern repression. Sessions Judges trying the cases were wont to inflict sentences varying from four to ten years' imprisonment, which had very little effect in stopping the outrages. Gangs continued

1. The "Drachenfels" Case.
2. Nicholas v. Asfar.

to break into the houses, mostly mere huts, of inoffensive peasants, and carry off the married and unmarried women, and after outraging them returned the poor half-dead creatures to their own doors.

I applied to Government to pass a short Act legalising capital sentences in such cases, as was done in Melbourne, where outrages by the "larrikins" were thus ruthlessly stopped. But the Indian Government had not the courage of the Australian, and I received a polite refusal. My colleague and I then took the matter into our own hands. The sentences came before the Criminal Bench for revision, and often the Legal Remembrancer appeared for the Crown on the ground of inadequacy of sentence. Our procedure was to issue notices to the accused to show cause why their sentences should not be enhanced. They almost invariably appeared by counsel or pleader and after a full and patient hearing on the accused's behalf, if we upheld the sentence, we enhanced it to "transportation for life," to the Andaman Islands.

In a few months we had the satisfaction of hearing that these brutalities had ceased.

The Civil Appellate List of the Rajshahi Division was always a very heavy one. The rivers were frequently changing their course by which villages were constantly diluviated. Disputes between riparian proprietors were therefore frequent. Having sat with the ablest of judges in this class of cases, William Macpherson J., I had gained experience in these conditions. He was an apt example of the value of judges being promoted from the Indian Civil Service, by reason of their knowledge and experience in dealing in the past with matters involving land tenure.

Thus, when the list became unwieldy, the arrears were entrusted to me. The difficulty of these cases will be shown by the fact that in one alone there were 36 maps which dated from early in the 19th century. The Brahmaputra had changed its course 36 times within the preceding 58 years, and the area diluviated and re-formed had to be resurveyed as many times. It took over three weeks to unravel the rights of the parties.

In 1891 my book, the "Spirit of Islam," was published in London. The title of the work had been inspired by my wife, and it was dedicated to her as a token of my love and gratitude.

With the exception of Gibbon's account, there was no comprehensive history of the Saracenic Empire. The works of continental writers in their respective languages related to special countries or special subjects. I accordingly arranged with Messrs. Macmillan for the publication of my "History of the Saracens". My object was to give an entire survey of the rise and fall of the Saracenic power in the three continents, yet within a compass which would enable students to study this absorbing subject; and the publishers fell in with my views. The work was reprinted during the Great War for the use of officers in the newly occupied, now mandated, Arab territories. Attempts at plagiarism, as usual in India, are common, but in the main they are miserably futile.

When on furlough in 1895 and supposed to be resting in a delightful haven of peace and quiet—Kingston House, near Angmering—I became involved in a controversy with that stormy petrel, Canon Macoll, who made a violent attack on me in the "Nineteenth Century". At Mr. Knowles's request I answered it, and wrote what I considered a temperate reply. This elicited a fierce onslaught from the pen of the warlike Canon, in which he accused Moslems of all manner of crimes. I was again compelled to reply; and the controversy would have continued for some time if the Editor had not closed the Review to further discussion. Sir James Knowles afterwards told me that the great Queen was so incensed at the Canon's intemperate articles that she stopped the preferment which had been suggested for him by Mr. Gladstone.

This controversy with Canon Macoll in the "Nineteenth Century" drew me into collision with that bulwark of Liberalism. He wrote to the "Daily News," supporting his protege's views and accusing me of being a prejudiced writer.[1]

The fact that the spirit then expressed by the Canon persisted was shewn by an appeal advertised in "The Times" by the Church Missionary Society for funds for proselytising purposes in 1919, which elicited the following letter from the author, published in the Pall Mall Gazette on the 19th February, 1919.

1. Extracts from the following letters from a British military friend and from a stranger, a lawyer, living at Macon, Georgia, U.S.A., show that this controversy attracted some notice:

Petersfied, Hant

Cross and Crescent—A Mohammedan Protest

To the Editor of The Pall Mall Gazettee

Sir,

Will you allow me to enter a strong protest against the latest attempt to create ill-will between Christians and Mohammedans? The "Times" of Saturday last contained an appeal from the Church Missionary Society for funds for missionising purposes under the heading "Prussianism and Religion," "The Crescent and the Cross." In this appeal the Mohammedan religion is gratuitously dragged in and help up to contumely.

The religion of a hundred million of the King's subjects is vilified under the obnoxious designation of "Prussianism" and the Cross is pitted against the Crescent. Whatever may be the object of the authors of this extraordinary, not to say outrageous, advertisement they do not seem to realise the mischievous consequences of rekindling the old hatred. Nor do they appear to see that it shows a certain religious poverty to have to stiffen up Christianity and awaken charitable instincts by attacking another religion.

The two great religions can live and work side by side for the elevation of humanity without rivalry or rancour. But if this constant agitation for the sowing of discord between the followers of the two faiths, either by means of attempts to rob the Moslems of their places of worship or by reviling their Prophet and his teachings, is allowed to continue, there can be no prospect of the much-needed "Peace and good-will."

2, Godogan Place, S.W.I. (Sd.) Ameer Ali.

On Sir Comer Petharam's retirement there was still in Whitehall an appreciation of the need for efficient men in the superior tribunals of India. Sir Francis MacLean, his successor, was not a

Dear Mr. Ameer Ali, November 28th—95

I have read with much pleasure your interesting article entitled "Islam and Canon Macoll" in this month's "Nineteenth Century", and I sincerely congratulate you on the moderation and good taste with which you treat your insolent and fanatical opponent.

Macon, Ga. U.S.A

25th March 1896.

Dear Sir,

The Contemporary Review finds its way into my home, and I feel that I am almost acquainted with you by reason of your able defence of Islam, against Canon Macoll. Myself. I respect any man of sincerity—that is the main thing. How it spends itself in thought comes afterwards. . . .

great lawyer; he was hardworking and industrious but inclined to be idiosyncratic.

A case which required knowledge of Indian habits and modes of thought was decided by Jenkins J. against the Plaintiff, who appealed. The appeal was heard by the Chief Justice, Prinsep J., the senior Puisne Judge, a promoted I.C.S. officer, and myself the senior Barrister-Judge. MacLean was in favour of affirming the judgment, Prinsep and I thought that the Judge had erred owing to his inexperience of the Indian mode of keeping accounts and other facts. We two, therefore, set aside the Lower Court's judgment. The Privy Council affirmed our judgment to the Chief Justice's evident displeasure. This reminds me of an incident with his predecessor who had asked me to sit with him to decide some cases under the Bengal Tenancy Act, which I might be supposed to be conversant with, as I had taken part in initiating the Act. We differed on the construction of one of the sections; and the Chief Justice called in Prinsep J. as third judge, with the result that he agreed with my view. On this occasion the difference of opinion was not taken to heart.

Prominent Men

I retired from the Bengal High Court in April 1904. My successor was John, now Sir John, Woodroffe, Reader on Indian Law at Oxford. The choice could not have fallen upon an abler judge, or a more clever lawyer. He had been my collaborator in the "Commentary on the Indian Evidence Act" and "Commentary on the Indian Civil Procedure Code," both of which were well received by the profession, and I was aware of his ability. When I left for England, on relinquishing my seat on the Bench, I was much touched by the large number of friends, Indian and English, who came to take leave of me. It was gratifying to me that there were so many who expressed their sense of satisfaction at my endeavours for the good of my country for over thirty years.

One section there was which never ceased to decry me. There is a Persian proverb which may roughly be translated as follows: "The scorpion's bite is not of spite: it is to the nature of the beast that it is due" (Nesh-i akrab na-az-pai kin-ast; maktazai tabiatash in-ast), but I could never understand why particularly one

newspaper, the "Begali," should be so bitter. It was owned and edited by Surendranath Banerji. For a year or more I had lectured to the classes instituted by him and also had induced my friend K. M. Chatterjee to assist him. Surendranath Banerji was a great orator and proved a formidable enemy to the Government after he was prematurely retired from the Indian Civil Service. He had said in one of his speeches to students that "he would shake the foundations of British Rule"; and he fully justified his threat until the Government recognised the merit of having its foundations shaken by rewarding him with a knigthood. For Surendranath Banerji was the real creator of the Swarajist movement, if not in India certainly in Bengal. He laid the foundations of that bitter anti-foreign spirit which has become the main policy of the stalwart patriots of Bengal and elsewhere in India. I remember a time when large bands of the youth of the province were wont to slink away with the utmost celerity at the shadow of a policeman. They now valiantly stand up to the police with sticks and umbrellas, and occasionally even shoot down inoffensive foreigners. The development of the spirit of independence and aggressiveness among a people by nature so meek and law-abiding is due to Surendranath Banerji, and Sawarajist Bengal should erect a statue in his honour.

I have been a consistent admirer of the late Lord Curzon's great natural gifts and untiring efforts on behalf of the people of India, and consider the Punjab Land Alienation Act one of the finest pieces of beneficent legislation. When I told the Viceroy this and expressed my regret that he did not endeavour to make the measure applicable to the whole country, he answered with a sigh that I little knew of the great difficulties he had to contend with even to get this small measure passed, that at one sitting its opponents rose in a body and left the Council Chamber.

The reason for this Land Act was that the yeoman land-owners of the Punjab, from whom a great portion of the Indian Army is now recruited, were rapidly losing their land by sales in execution of decrees of the British Indian Courts in favour of money-lenders, mostly town Hindus. The Indian yeoman and land-holder is sometimes improvident, but more often than not he is the victim of bad seasons and of circumstances. He is obliged to command

ready-money to pay his rent, or land revenue to Government.

The reason for the land-holder having to command ready-money and to pay his land revenue to Government without fail on the due date is shown by the following instance quoted in a letter from a friend dated 1895. "A certain land-owner by some oversight failed at the proper time to meet in full the Government dues; the arrears being only two rupees. Two days later, this insignificant sun was paid into the Civil Treasury, but in the meantime an order had been issued by the Collector (the Magistrate in charge of and the head of the Revenue Administration of the district) for the attachment of his property amounting to 50,000 rupees in value. This was sold by public auction for 10 rupees, in satisfaction of the claim for two rupees notwithstanding that the debt had been met before the sale took place. The person interested and his friend, not believing that such an order would be carried out, failed to put in an appearance at the auction."

The owner of the property appealed against this unjust decree and the District Judge very properly quashed the proceedings. But the purchaser carried it up to the High Court, where it was heard by two judges who disagreed. The case was then laid before the Chief Justice, who held that the Law did not support the owner of the property and accordingly gave judgment in favour of the purchaser.

It is doubtful whether such a case could possibly occur at the present day, but the Revenue Administration is still faced with the necessity of not allowing land-holders to fall into arrears. They are only too prone to do so, and at the same time in hard years matters are sometimes difficult for them. In times of famine the payment of revenue has to be suspended or remitted, which means a serious deficit for the Government. Land revenue is the mainstay of the Indian revenues, much as is income-tax in England.[1]

1. Lecturing at the London School of Economics on "Indian Institutions" Mr. Ameer Ali remarked that "following on the first settlement of the Moslems in Mesopotamia, there was a survey and a fresh revenue assessment of the whole province. A rule then was made that agriculturists should not be allowed to part with their holdings and that agricultural land should not be alienated. That rule was now in force in the Punjab and it was one of the most beneficent in India."

British Indian Courts maintained the principles of the freedom of contract throughout the nineteenth century and were very loth to lower any rate of interest, however unconscionable. It was not until the Great War, when the borrowings of soldiers' families at harsh rates of interest affected the rank and file, that an Act was passed restricting the rate of interest to 12 per cent, simple interest, in the year 1918. As an instance of how these debts can mount up, a claim was made by a Hindu money-lender against the estate of a British Major killed in the War, for two hundred times the amount of a debt of £40, contracted by the Major twenty years before, as a penniless subaltern. He had paid off the principal and some of the interest, but had been saddled with the compound interest throughout his career. The claim was for the balance of the compound interest. The money-lenders and the bulk of the legal profession, mainly Hindus or Jains of the towns, are closely connected; hence the opposition to Lord Curzon's measure in the Council, and later on to the Restriction of Interest Act passed during the War. The town Hindu landlord, who merely regards the possession of land as an investment, cannot possibly take any interest in his tenants, and often opposes from instinct and interest any measure for the amelioration of their lot. It may safely be said that the Punjab Land Alienation Act of Lord Curzon is one of the bases of the prosperity of that province. It lays down that land may not be alienated by any person not belonging to an agricultural caste or community.

Had this measure been applied to the rest of India it would have prevented the alienation of very large areas, amounting sometimes to three-quarters of a district, to non-agricultural absentee landlords of the trading castes or legal profession.

Of Commanders-in-Chief in India whom I knew personally, four stand out in my memory—Sir Donald Stewart, Lord Roberts, Sir George White and Lord Kitchener. Both Sir Donald Stewart and Lord Roberts had been closely associated with Indian troops since

Note.—It will be generally remembered that Lord Roberts began his soldiering in 1852 in that corps d'elite of the old East India Company's Army, the Bengal Horse Artillery. Although he was a Staff Officer through most of the Mutiny, the gunner's point of view peeps through the lines of his early letters from Delhi and elsewhere written during the Mutiny itself.

the "forties" and "fifties" of the nineteenth century. They had commenced their military careers as officers of the Old East India Company's Army and the fact that both had seen the horrors of the Great Mutiny did not change their friendly feelings towards Indian officers and sepoys. They were well aware of the value of the personal touch in dealing with them.

It may be noted that the importance of the personal relation between the right type of British officer and Civil official and the masses of India has been intensified manifold by the developments of recent years, not minimised as many pretend to think.

Lord Roberts had the faculty of remembering names and faces after a long time; and when holding high rank in the Army, delighted veteran Indians who had served under him by calling them out, and enquiring after their welfare. Lord Kitchener, accustomed to the fellahin of Egypt, was curt and aloof. The destruction by explosives of the Mahdi's tomb after the victory of Omdurman was attributed to his orders. Like many public events abroad, this became known to the people in India and they said at the time that Lord Kitchener himself would come to his end by an explosive.

I remember well the dispute between Lord Curzon as Viceroy and Lord Kitchener as Commander-in-Chief in India in which Mr. Brodrick, then Secretary of State for War (later Lord Midleton), took Lord Kitchener's side. On learning that Lord Curzon decided to send in his resignation I wrote to him expressing my great regret that he should retire from the viceroyalty before his work was completed. He replied that for his part he was equally sorry that circumstances compelled him to leave his work uncompleted, but that history would judge of the merits of the controversy.

The career of Sir Donald Stewart is less well known but equally interesting. He joined the famous Ninth Native Infanty in the 'forties' and was carried with them on the tide of conquest as far as Peshawar. He was a keen and efficient regimental officer, and at the time of the Mutiny was Adjutant of his Regiment which was then serving at Aligarh, an out-station with no British troops. It had been sent there out of consideration for the men, owing to their having been on active service in distant parts for many years. Most of its rank and file were recruited from the neighbourhood, in fact it was known to Indians as the Jalesar-ka-Palan (or Jalesar regiment)

from a small town in Etah, the next district. The personal influence of the Colonel Donlad Stewart and other officers kept the regiment faithful for some time in the midst of a revolt on all sides, but it dissolved without violence to the officers when the regimental Pundit (Hindu priest) was hanged for the treasonable correspondence with the rebels. Sir Donald afterwards gave it as his opinion that this act was a mistake; and that most, if not all, of the regiment would have stood loyal if the officers had merely drummed out the priest. So ended the Ninth Native Infantry, like most of the Corps of the Old Company's Bengal Army, after nearly a century of victory and loyal service.

The Morley-Minto Reforms and the Muslim League

The wrench involved in leaving my work and old associations in India in order to spend a few years with my sons before they went out into the world, was mitigated by our acquisition of a charming home in Berkshire. It was a modest little country-house, nestling against a wooded hillside. The sloping lawns leading from a rose-clad verandah to a small lake added a great charm.

It was said to have been the dower-house of Ufton Court, the beautiful gabled home of Arabella Fermor after her marriage. She was the lady who figures as the heroine in Pope's "Rape of the Lock". This little property was part of a large estate called Englefield, after a battle fought there in Saxon times between Angles and Danes. At the other extremity of the valley lay the battlefield of Newbury, and in the lanes round the neighbourhood, where there had been many a scuffle between the contending armies, were found within recent years pieces of armour and accoutrements of the Civil Wars.

One of the charms and interests arising within the narrow confines of Great Britain is the constant reminders of historical episodes met with not only in the cities but often in the remote parts of the country. Another among the points of attraction in our neighbourhood was the well-known triennial performances of classical Greek plays acted in the open-air Greek theatre in a sylvan chalk-pit by the boys of Bradfield College. Their inauguration was due to the erudition and energy of the head-master, the Rev. Dr. Grey.

In the years following, our pleasant life was varied in the late

summer months by visits to that mountainous region of Switzerland lying between Austria and Italy—where the invigorating air from the glaciers seemed to give new life after years of work in hot climates. In this happy valley, so high that even elderly walkers like myself could reach the glaciers, tired men from all parts of the world came in search of the refreshing breezes. One met from countries near and far statesmen, diplomats, scientists and men of arts and letters with whom an interchange of ideas and knowledge was a benefit greatly to be prized. From their conversation one could almost feel the political temperature of the different countries of Europe, which rose to the fever-heat of 1914. Here an Imperial Prussian of high ministerial degree, there an Austrian diplomat, Italian military men, Hungarian nobles, Professors of International Law from here and there, German makers of big guns—not to speak of American politicians, Egyptian pashas, and Argentine millionaires.

Among them I once found Lord Reay, an acquaintance of former years. We had much talk about his Governorship of Bombay and his strong belief in the progress of the peole of his Presidency. He exressed appreciation of the qualities of the men with whom he had worked and of their political aspirations.

The first task to which I set myself was to launch the London Moslem Leauge. Friends in India had urged me for some time to establish an organisation which might not only be the exponent of Moslem feelings and give constitutional expression to the legitimate sentiments of the Moslem subjects of the King on political matters affecting their interests, but also serve as a training ground for good and loyal citizenship for the Moslem students who were coming in large numbers to the United Kingdom. Accordingly in May 1908 the London Moslem League was established.

Subsequent events have proved how necessary is a coherent and important organisation of this kind for the protection of Moslem interests under the fluctuating conditions of British politics.

The object of our organisation appeared from the following prefatory remarks on its constitution:

1. To promote concord and harmony among the different nationalities of India.
2. To work in advancement of the general interest of the coun-

try in harmony and concert with the other Indian communities.

3. To advance and safeguard by all constitutional and loyal methods the special interests of the Mohammedan subjects of the King.
4. To bring the Mohammedans so far as possible into touch with the leaders of thought in England.

The inaugural luncheon of the London Moslem League was held on 23rd February 1910. Lord Reay, Lord Avebury (Sir John Lubbock) and Lord Ronaldshay (now Lord Zetland) and other notabilities were present. Mr. Valentine Chirol, as he was then, also sympathised with the Moslem cause.[1]

1. The following was the Syed's speech on this occasion:

"We are on the eve of great constitutional changes in the administration of India, which will undoubtedly alter its character, by giving the educated classes a larger voice in the internal government of the country. The Mohammedans consider the moment of great importance, because they feel that if they do not keep their claims well forward before the government and the people in England and in India they may permanently and seriously prejudice their interests. They have welcomed the principles of the reforms, in the conviction that their legitimate rights will be adequately and substantially safeguarded. They have not put forward any undue claims or made any demand which can be regarded as encroaching on the just rights of any other community. They ask for their legitimate share in the political privileges about to be extended to the peoples of India—a share 'commensurate,' to use the language of the Government of India, 'with their numbers and their historical and political importance.' [Hear, hear.]

"The Viceroy assured them that their political rights and interests will be safeguarded in any administrative changes in which he was concerned. The Musulmans take their stand on that assurance. Their claim, based on historical and political importance, has been assailed from many not altogether uninterested quarters. With reference to these attacks, may I venture to make one answer? Barely 200 years ago, the East India Company acquired its right to hold three of the richest provinces in India, under a grant from a Mohammedan Sovereign, and when British power extended towards the North and the West, the Mohammedan Sovereign still was the fountain-head of all legitimate right. The East India Company acknowledged his titular rights by placing his name and insignia on its coins as late as 1832. Many of the Mahratta and other Hindu Chiefs were proud to bear titles granted by Musulman Sovereigns, and I am very much mistaken if they do not bear them even now. It is idle to say the Mohammedans of India possess no historical importance They are connected by ties of religion, traditions and race with the whole o Western Asia and Northern Africa, right away to the Atlantic—countries where the prestige of England stands high now, and where England is recognised as the champion of justice and fair play. [Applause]. The Mohammedans of India expect to gain most by the present concessions. I may say again, without presumption, it is idle

[Contd.]

The necessity of an organisation of this character in London was soon proved by the violent controversy which arose in connection with the Indian Reforms started by Mr. Morley, then Secretary of State for India. Until recently, in fact until

to say they are of no political consequence. In the social economy of the country, even in those provinces where they are nuumerically inferior, their upper classes occupy an acknowledged position of weight and influence beyond their actual numbers.

"They all feel that the happiness and development of India depend upon the co-operation of all her children—co-operation not only among themselves but also with the servants of the Crown, which has assured to the varied races and peoples of that great continent a peace and prosperity it never enjoyed at any period of its history. [Applause]. At the same time, they cannot shut their eyes to the divergencies which have divided and still divide the rank and file of the two people—divergencies which ramify in all directions, which enter into the very minutiæ of life. The two great communities of India are sometimes likened to the Roman Catholics and Protestants in England and Ireland. I am afraid that analogy is absolutely false. Hindus and Mohammedans are not the followers of two sects or communions, but of two wholly different systems. Roman Catholics and Protestants follow one Faith and one Gospel. They differ in dogmas and ritual, but their habits of life and modes of thought, their laws, their customs and conventions are the same—there is nothing to debar them from eating at the same board, or drinking from the same cup. They can intermarry, they can change from one communion to the other. All this is different in the case of the Hindus and Mohammedans. Two absolutely antithetical systems have existed side by side for ten centuries with, on the whole, great toleration to each other without amalgamation. And why? Hinduism is not merely a religion, but a complex social system of immense antiquity whose institutions have, through the observance of ages, acquired a sacredness which nothing at present foreseeable can break or alter. It is a vast conservative Federation, hedged round by stringent rules of caste. No outsider can ever enter its pale. To think it has any democratic tendency or ideal is a mistake. Its admirable organisation, its very exclusiveness has enabled it to preserve through ages its ancient usages from contamination by foreign influences. Mohammedanism, on the other hand, is democratic, tending towards socialism. It opens its doors to all comers. . . . .

"It is only people who are ignorant of the situation, who do not understand the situation, that talk of common citizenship. [Applause]. Any attempt to drive the smaller into the bigger camp will only lead to discord and strife. A Mohammedan Sovereign tried to fuse the two people by introducing a new electoral system. He failed. Do you think it possible to attain that end by driving them in common to the hustings?

"It is only by remembering that the two elements deserve equal consideration, that both of them are important factors in the administration of the country, by endeavouring to understand the idiosyncrasies of the two nations, by not allowing the interests of the one to be subordinated to the interests or ambitions of the other, that you will make the projected reforms successful. It is in this conviction, and not in any spirit of antagonism or racial prejudice, nor any feeling of jealousy or desire to take anything from the others, that the Musulmans have pressed their case.

(*Contd.*)

Mr. Morley and subsequently Mr. Montagu set to work at the "Unification" of India, Hindus and Moslems had lived together side by side in villages and towns generally in peace and harmony, and without friction. They were friendly neighbours but for the slight domestic disputes which occur in every country, and occasional outbreaks of rioting over some purely religious question that raised the passions of the ignorant to more than an ordinary degree. Such outbreaks were, however, very much less frequent than during the last few years.

Both Hindu and Moslem had prospered under good Government, both had suffered equally under misrule. Both remembered the hardship of Mahratta and Pindari raids, and both received with equanimity the schooling of British political scientists.

Now there is bitter feud between them. And why? They both recognise that the ideal of self-government—of an independent India governing itself—can never be realised unless they are united in their material interests and their natural sympathies. And yet they are profoundly divided in their political aspirations. The responsibility for this disastrous climax must be laid at the door of the well-meaning reformers who in their zeal forgot that India was inhabited by two great communities with two divergent

It is essential that the majority should know that the minority has sufficient weight and influence to make it worth while to seek its support and deal with questions in a spirit of compromise and toleration. So long as they feel that they can override the claims of the others, there will be no peace, no accord, and no satisfacfory dealing with public questions. The amount of juggling on the subject of Mohammedan representation seems me amazing. First of all there are vast masses of people in India, who either disclaim all title to being Hindoos, or who are included under the word "Hindoo" for the sake of convenience [Applause]. It is contended that they should be included in the Hindoo figures and the question of representation should be dealt with on the basis of those figures. Well, the injustice of the proposal does not seem to strike biased minds, but it shows how impossible it is to apply to India a doctrine which is workable with any approach to equity only in countries inhabited by a homogeneous population.

"Allow me to say that, in placing before the Secretary of State the views of the Musulman people on this most important question, the League had no arriere-pensee, no "tactics" in mind, "dubious" or otherwise. On the contrary, our object was to give whatever assistance we could in the solution of a great problem. An Eastern sage has said that it is treason to keep the Truth from the King. [Hear, hear]. We would have been false to our loyalty to our Sovereign, if we had not expressed clearly and [illegible] the feelings and opinions of the Musulman subjects of His Majesty to the Minister of the Crown." [Loud Applause].

outlooks, social and religious, which can never be reconciled. The greatest of Indian sovereigns had endeavoured to bridge the gulf by introducing a new cult which might unite the two peoples. What had succeeded in Egypt under Ptolemy Lagos failed in India under Akbar, the great Mogul Emperor who was a contemporary of Queen Elizabeth.

The attempt of long ago was re-started by one Secretary of State of acknowledged ability and taken up by another by no means his equal in genius. Both laboured under the impression that the smaller populations could be overlooked once the ball was set rolling.

This idea apparently gave rise to the proposal to do away with the separate representation of the Moslems on all elective bodies, and to create a system which would unify both communities in electing their representatives in common.

I pointed out in a letter to the "Times" what this proposal if carried into effect would mean to the Moslem population. The day after my letter appeared I received a visit at the Reform Club from a friend who at the time held an influential position. It is not open to me to embody here our conversation which was, in certain respects, personal. In the event he persuaded me to see Mr. Morley and I agreed on condition that my visit would be welcome, I made this condition as I had been informed by an Indian friend who haunted the "coulisses" of the Secretary of State's Council, that he had been told by one of them that the India Office had lost its confidence in me.

Two days later I received an intimation from the Private Secretary that the Secretary of State would be glad to see me. I took with me for the interview a sheaf of telegrams and a number of letters I had received from India representing the Moslem side of the question, which I handed to Mr. Morley and he promised to study them carefully. The interview lasted for an hour and a half and the question was examined from every point of view. I do not think it necessary to recapitulate the course of the discussion. One remark of his, however, should be recorded. He said "I am glad your people are not opposed to the Reforms in principle; I was told you were going to move Lansdowne to throw out the Bill." To this I replied: "My people wish

to participate on equal terms in the constitutional changes; if their right to equal participation is accepted, they will not oppose them."

On the 27th January 1909, I took a Deputation to him. Our objections to the proposed measure were set out in the following Memorial:

"Whilst offering their loyal and cordial support to the general and animating principles of the Scheme, the Committee feel bound to state that some of the proposals are viewed with serious apprehension and misgiving by their people as likely to prove detrimental to Musulman interests. They, therefore, beg to place before his Lordship as explicitly and clearly as possible the Musulman case. . . .

"The claim of the Mohammedan community to adequate representation on the Imperial and Provincial Councils 'commensurate with its numbers and political and historic importance' has been admitted and urged with considerable force by the Government of India in its circular letter dated 24th August 1907, and its letter to the Right Honourable the Secretary of State, dated the 1st October, 1908.

"In its circular letter referred to above, the Government of India further pointed out that 'under the system of election hitherto in force, Hindus largely predominate in all or almost all the electorates with this result that comparatively few Mohammedan members have been elected. These have been supplemented by nominations made by the Government. But the total representation thus effected has not been commensurate with the weight to which the Mohammedan community is entitled; and it has, moreover, been strongly urged that even the system of nomination has frequently failed to secure the appointment of Mohammedans of the class by whom the community desires to be represented.

"In his Despatch of the 27th November 1908, paragraph 9, his Lordship gives emphatic expression to his agreement with the opinion of the Government of India that the Mohammedans should be adequately represented on the enlarged Councils. His Lordship says: 'I agree also that the Legislative Councils should reflect the leading elements of the population at large, and that no system of representation would be satisfactory, if it did not provide for the presence in the Councils of sufficient representatives of communities so important as are the Mohammedans and the landed classes.'

"The Committee beg respectfully to state that the entire

Mohammedan people view his Lordship's suggestions with grave misgiving as calculated to subject Musulman representation to the good will of a rival community—and place Musulman interests in their hands.

"In common with other well-wishers of India the Committee look forward to a time when the development of a true spirit of compromise or the fusion of the races may make the principles indicated by his Lordship capable of practical application without sacrificing the interests of any of the nationalities or giving political ascendancy to one to the disadvantage of the others. But the Committee venture to think that however ready the country may be for constitutional reforms, the interests of the two great communities of India must be considered and dealt with separately as is indeed admitted in theory by his Lordship.

"In order that Mohammedan representation may be real not merely nominal or illusory, it is essential that the Mohammedan representatives should voice their feelings and sentiments and advocate the policy which commends itself to the best minds of their own community Under the system of an electoral college consisting of say 75 Hindus and 25 Mohammedans, the Mohammedan who would be elected would be a mere nominee of the majority.

"Moreover, in places where the influence of the *Mahajan* and legal classes is preponderant it would, in any circumstance, be used in favour of Mohammedan candidates whose views are not acceptable to the general body of their people; the mischief would be intolerably aggravated in the case of joint electorates.

"The Committee have noticed a statement that Mohammedan apprehensions in respect of joint electoral colleges are unfounded inasmuch as if one Mohammedan was returned by the collective votes of the Mohammedan electors, and another was returned by a larger number of votes from the majority, the result would be that there would be two Mohammedan representatives instead of one. Whatever may have been the intention, the Committee find no warrant for this contention in the wording of his Lordship's Despatch. Judging from the context they conceive the only effect of the Mohammedan having a large number of votes either entirely composed of Hindu votes or partly Hindu and partly Mohammedan votes would be to put out of the field the candidate who relied on Mohammedan votes alone.

"Assuming, however, that the view suggested is correct it implies a serious danger to the Musulman people. A nominee of the majority professing to represent the Mohammedan community but out of harmony with their general sentiments and opinions would be the

cause of constant friction and the advantages anticipated from the Electoral Colleges will be more than counterbalanced by the complaints and heart-burnings that are certain to result therefrom.

"The Committee believe that if just and equitable considerations were to demand the grant to their community of a double vote, His Majesty's Government would not be deterred from that course by the apprehended resentment of other interested classes of the population. Save as regards University representation in which both communities have the privilege of double voting, the Mohammedan subjects of His Majesty, so long as they can obtain adequate and substantial communal representation on the Councils, the Rural and District Boards and Corporations, with the right of electing their own representatives, do not ask for double votes. Musulman representation on such basis is more likely to lead to concord between the two communities and harmonious working on represcntive bodies, than if it were merely nominal; for the majority would in such case be more inclined to conciliate and regard Musulman opinion than when in a position to override it.

"The Committee, on behalf of the Musulmans of India, wish to disclaim all idea of racial prejudice or any desire to seek special privileges. They wish to affirm their anxiety to work in cordial co-operation and harmony with all loyal classes of His Majesty's subjects in the promotion of the general interest of the country. But they cannot ignore the divergencies which still divide the races of India, and which they believe time and general progress under a sympathetic and enlightened rule can alone remove.

"The political and historical position of the Musulman community has been spoken of recently in somewhat slighting terms. With reference to that the Committee desire to offer no remarks. But they beg humbly to observe that the loyalty of the Musulman people is an asset to the Empire and merits some consideration. The Musulman population numbering 53 millions can hardly be dealt with as a minority, or have their status regarded as analogous to that of the minor communities of India. Though living intermixed with the non Moslems they form a distinct nationality divided by traditions of race, religion and ideals. However much their presence may be deprecated by some of their neighbours, they are important factors to be reckoned with in the administration of the country.

"The principle of proportional representation, whatever its value in Western Europe where the people are in the main homogeneous and animated by common ideals and sentiments, is unsuited, the Committee respectfully submit, to a country where the rank and file are still so sharply divided. What is part of the

religion of one people is abhorred by the other, whilst in places, the touch of an outsider, if not his very shadow, amounts to pollution.

"The Committee beg to affirm most emphatically that their people ask for nothing in derogation of the just rights of any other class or community; they seek simply to obtain a fair and just recognition of their legitimate claims that they may in future occupy a position in the Councils of Government consistent with their numbers and political status. Whilst anxious to work in a spirit of compromise, and in concord, harmony and in co-ordination with the Hindu community, they are not disposed to place themselves in subordination to any class or people in India, or to consent to follow any policy that may be dictated by the majority."

I supplemented these grounds in my Address:

"My Lord, whilst we welcome these reforms, we welcome them in the conviction that, in their practical application, our status and interests will be kept in view. We do not wish, and cannot consent, to be placed in a disadvantageous position. We are anxious that whatever boons are confered on, whatever political concessions are made to, the people of India, we should have our legitimate share in those concessions. We ask for nothing in derogation of the just rights of any other people. We seek no special privileges; we want only our legitimate share in political rights and political privileges, and nothing more. . . .

"If the vast masses of low caste people who are nominally Hindus were excluded from the Hindu figures, certainly the disparity which now appears between the Hindu and the Mohammedan populations would not strike as so great or disproportionate. These tribes and communities, nominally Hindu for the purpose of census, have nothing in common with the real Hindu, to whom their touch, often their very shadow, is pollution. They can never rise out of degraded state in which they live, and have lived for centuries. Save the British official, they have no representative or protector. . . .

"I now come to specific points which we wish to place before your Lordship for consideration. The first is the question of joint electorates. We feel that to confide [*sic* confine] the election of our representatives to mixed electorates would be most detrimental to the Musulman people. Your Lordship is aware of the sharp cleavage that has taken place recently between the political conceptions of the Mohammedan people and some sections of the other communities. You are also aware of the other divergencies which exist between the Mohammedans and the non-Moslem people in India, divergencies which ramify in all directions. It

might perhaps startle people in England if they were told of the trifling incidents which often inflame passion on both sides. I do not wish to dwell particularly on the character of these incidents. I only refer to them to show the gulf which still separates the rank and file of the two communities, and which the administrator must keep in view and the statesman take into consideration, when dealing with general questions affecting both the races. Having these divergencies in view and the cleavage which has recently taken place, the Musulmans of India consider it extremely important that their representation should not be dependent on the good-will of any other people.

"We say, further, that the principle of proportional representation would be fatal to our interests. The Government of India recognises, if I am not mistaken, the difficulty of meeting the requirements of the Musulman people, if its representation is to be based on a consideration of numbers. Whatever may be the value of the system of proportional representation in countries where the people are in the main homogeneous, we submit it is wholly unsuited to India. Save and except in the Punjab, where the Musulmans preponderate in numbers, there is hardly any approximation between the two races. The Mohammedans say, if proportional representation happen [sic] to be introduced into India, their representation would be completely swamped. In answer to this, it is said the Government can hardly take into consideraton the political and historical importance of any community in judging of the question of representation, and the Mohammedan position is compared to that of the Sikhs and the Parsees. We submit respectfully, but emphatically, that the position of the Musulman people has no analogy to that of the minor communities of India. Neither bear [sic] the burden of defending the Empire to the same extent as our fellow countrymen, and we probably supply to the Indian Army a larger number of soldiers than most others. It is easy to say, if representation is to be conceded to Muhammedans. . . .

"My people will not be content with any representation which is less than adequate and substantial On general questions racial and religious differences will probably not enter into competition, but contingencies are certain to arise in which the interests or the views of the two communities do not coincide. On these occasions it would be necessary to take into account the balance parties. We submit that in the constitution of the Councils it should be the aim of His Majesty's Government, and of the Government of India, to have them so balanced that not only the administrative machinery should run smoothly, but also that no party should be able to outvote the just claims of a less powerful

party. We, therefore, submit as a standard of adequate representation that the number of Mohammedan members on the several Councils should be so fixed that if the Mohammedans were to join a certain number of what may be called non-partisan members, or to receive their support on any particular question the issue may be decided accordingly. Unless some standard of that kind is adopted, and our position sufficiently assured on the reformed Councils, our representation will be anomalous, and our representatives will exercise little influence or weight. . . .

"The chief point we are bringing to your Lordship's notice is the subject of communal representation. We are perfectly confident, having once placed the matter before you, that your one consideration will be to dispense equal justice and to hold the balance even for all parties. What we mean by communal representation is the representation of Mohammedans by Mohammedans, elected by Mohammedan electorates, at all stages of the elective system. I am perfectly certain, once the principle of communal representation has been accepted by your Lordship, there will be found many administrators of great skill and experience, who wuold be able to evolve the best measure for putting it into practice."

The reply of the Secretary of State was as follows:

[Lord Morley in reply said:] "I have listened to the very able speech of my friend Mr. Ameer Ali and to the speech which followed, with close attention, not merely for the sake of the arguments upon the special points raised, but—what is more important than the special points very often and, I am sure, in this case—because the underlining feeling and the animating spirit of those two speeches are to me full of encouragement. Why? Because instead of—as I rather anticipated, or did till a few days ago— a rather hostile attitude to our reforms as a whole, I find that you receive them and welcome them cordially and with gratitude. I cannot say with what satisfaction I received that announcement, and how much it encourages me. If you will allow me, I will, before I come to the special points, say a few words upon the general position, because it is very important—very important to you and to us of His Majesty's Government....

"Now the first point Mr. Ameer Ali made was upon the unfairness to the members of the Mohammedan community, caused by reckoning in the Hindu census a large multitude of men who are not entitled to be there. In short, I cannot for many reasons follow that argument. I submit that it is not very easy—and I have gone into the question very carefully to divide these lower castes and to classify them. Statisticians would be liable to be

charged with putting too many into either one or the other division, wherever you like to draw the line. I know the force of the argument, and am willing to attach to it whatever weight it deserves. I wish some of my friends in this country would study the figures of what are called the lower castes because they would then see the enormous difficulty and absurdity—absurdity of applying to India the same principles that are very good guides to us. Westerns who have been bred on the pure milk of the Benthamite word—one man one vote and every man a vote. That dream, by the way is not quite realised yet in this country; but the idea of insisting on a principle of that sort—and I should not be surpised if my friend here (Mr. Buchanan) heard something of it before he is many weeks older—is absurd to anybody who reflects on the multiplicity of these varied castes.

"Then there is the question of the joint electorate what is called the mixed electoral college. I was very glad to read this paragraph in the paper that you were good enough to send me. You recognise the very principle which was at the back of our minds when we came to the conclusion of the mixed electoral college. You say: 'In common with other well-wishers of India the Committee look forward to a time when the development of a true spirit of compromise or the fusion of the races may make the principles indicated by his Lordship capable of practical application without sacrificing the interests of any of the nationalities or giving political ascendancy to one to the disadvantage of the others. But the Committee venture to think that, however ready the country may be for constitutional reforms, the interests of the two great communities of India must be considered and dealt with separately.' Therefore to begin with, the difference between us in principle about the joint electorate is only this. We are guilty of nothing more than that we were premature, in the views of these gentlemen—we were impatient idealists. You say to me, 'It is very fine; we hope it will all come true, but you are premature; we must wait.' But though premature I observe that your own suggestion in one of those papers adopts and accepts the principle of the scheme outlined in our despatch . . .

"You see it was merely a suggestion thrown out for the Government of India, not a direction of the Medes and Persians stamp. You say, 'That for the purpose of electing members to the Provincial Councils, electoral colleges should be constituted on lines suggested by his Lordship composed exclusively of Mohammedans whose numbers and mode of grouping should be fixed by Executive authority.' This comes within the principle of my despatch, and we shall see—I hope very speedily—whether the Government of India disclose objections to its practicability.

Mark, electoral colleges constituted on lines 'composed exclusively of Mohammedans whose members and mode of grouping should be fixed by Executive Authority'—that is a proposition which is not outside the despatch, but whether practicable or not is a matter for discussion between us here and the Government in India.

"The aim of the Government and yours is identical—that there shall be (to quote Mr. Ameer Ali's words) 'adequate, real, and genuine Mohammedan representation'. Now, where is the difference between us? The machinery we commended you do not think possible. What machinery? Mixed electoral colleges. Well, as I have told you the language of the despatch does not insist upon a mixed electoral college. It would be no departure in substance from the principle of our suggestion that there should be a separate Mohammedan electorate—and electorate exclusively Mohammedan....

"I go to the next point, the apprehensions lest, if we based our system on numerical strength alone, a great injustice would be done to your community. Of course we all considered that from the Viceroy downwards—and whether your apprehensions are well-founded or not it is the business of those who call themselves statesmen to take those apprehensions into account and to do the best we can in setting up a great working system to allay and meet those apprehensions. [Hear hear].....

"If you take numerical strength as your basis, in the Punjab and Eastern Bengal Mohammedans are in a decisive majority. In the Punjab, the Moslem population is 53 per cent. to 38 per cent. Hindu. In Eastern Bengal 58 per cent. are Moslem and 37 per cent. are Hindu. Therefore, in those two provinces, on the numerical basis alone, the Mohammedans will secure sufficient representation. In Madras on the other hand, the Hindus are 89 per cent. against 6 per cent. of Moslems, and, therefore, numbers would give no adequate representation to Moslem opinion—in fact, no representation at all. In Bombay, the Moslems are in the ratio of 3¾ to 14 millions—20 per cent. to 77 per cent. The ondictions are very complex in Bombay, and I need not labour the details of this complexity. I am inclined to agree with those who think that it might be left to the local Government, either with the assent of the Central Government or otherwise, to take other elements into view required or suggested by local conditions. Coming to the United Provinces, there the Moslems are 6¾ millions to 40¾ Hindus—14 per cent. to 85per cent. This ratio of numerical strength no more represents the proportion in the elements of weight and importance than in Eastern Bengal does the Hindu ratio of 37 per cent. to 58 per cent. of Moslems. You

may set off each of those two cases against the other. Then there is the great Province of Bengal, where the Moslems are one-quarter of the Hindus—9 millions to 39 millions—18 per cent. to 7 per cent. I do not know but the case of Bengal deserves its own consideration...."

The Viceroy (Lord Hardinge) who had just succeeded Lord Minto sent over the Moslem member of his Council to persuade me to withdraw my opposition; but conscious of the fact that Moslem opinion and feeling were dead against joint electorates, and convinced that the Moslem element in British India would be absolutely submerged if communal representation was abolished. I remained firm and the Government gave way.

A Central Moslem League was later started in Lucknow, when the Committee in London thought it advisable to style the London organisation a Branch of the Lucknow League. In 1913, however, extreme elements among the Moslems, excited at the somewhat cynical attitude of certain British Ministers towards the Tripolitan and Balkan Wars, captured the organisation of the Lucknow League and compelled us to break our connection with it.[1]

1. The following letters will show the opinion of some who understood the situations [sic.].

Lord Roberts wrote:

Englemere, Ascot, Berks
4th November, 1913.

Dear Mr. Ameer Ali,

I was much concerned to read in Friday's "Times" that you intend to resign your position as head of the Moslem League in this country. I know how much you have done to restrain any angry feelings of your co-religionists in India towards England, on account of what they considered her attitude all through the Tripoli and Balkan Wars and I deeply regret your resignation. Is it too late to recall it—followed as I understand it is to be by the resignation of the Aga Khan of the Indian Branch.

Believe me,
Yours sincerely,
(Sd.) Reoberts

From Mr. George Lloyd, M.P. (now Lord Lloyd):

99 Eaton Place, S.W.,
14th December, 1913.

Dear Mr. Ameer Ali,

I want to send one line to convey to you my warm congratulations on the outcome of your difficulty in the All-India Moslem League. I have watched it all with the deepest interest not untinged with anxiety for many of us feel that, your influence removed, things might have been much more difficult.

During the controversy over the Morley-Minto Reforms His Highness the Aga Khan was in full agreement with my views and loyally collaborated with me. In 1909 [*sic*? 1906] he took a Deputation to the then Viceroy, Lord Minto, on the subject of separate electorates for Moslems. The Government's reply to the Deputation was so weighty that I quote in full his words summarising the permanent need and justification of separate electorates for minorities in India:

"The pith of your Address," he said, as I understand it, is a claim that in any system of representation whether it affects a Municipality, a District Board, or a Legislative Council, in which it is proposed to introduce or increase an Electoral organisation, the Mohammedan community should be represented as a community. You point out that in many cases electoral bodies as now constituted cannot be expected to return a Mohammedan candidate, and that, if by chance they do so, it could only be at the sacrifice

It is only what I believe was bound to happen that the true feeling of the League would rapidly re-assert itself so that you could continue the work you have so long done both in the interests of Islam in India and of Imperial interest at large.

Yours sincerely,
(Sd.) Gorge Lloyd.

From Sir Valentine Chirol :

Public Service Commission,
Camp, Delhi,
20th November, 1913.

Dear Mr. Ameer Ali,

Though I am afraid I have not always been able to see eye to eye with you, as far as I could judge from your public utterances in your attitude during the last year or two towards British Foreign Policy, I must send you a line to assure you of my sincere sympathy in the controversy which some of your co-Religinists have so unjustifiably raised at home Their action not only shows a most unseemly disregard of your long and conspicuous services to your community, but it is calculated to alienate from their Indian co-Religionists whose representatives they claim, though no doubt wrongly claim, to be, the regard and good-will which the Moselms of India have so largely enjoyed. I am glad to see, however, that what appears to be a considerable majority of the community are determined to dissociate themselves from such mischievous action, and I hope it will end in destroying or at least greatly curtailing the influence which such intemperate spirits had been too long allowed to exercise.

With kind remembrances,
Believe me, dear Mr. Ameer Ali,
Yours very truly,
(Sd.) Valentine Chirol.

of such a candidate's views to those of a majority opposed to his own community, whom he would in no way represent, and you justly claim that your position should be estimated not merely on your numerical strenght, but in respect to the political importance of your community, and the services it has rendered to the Empire. I am entirely in accord with you."

Lord Minto did not change his opinion in any particular after he made his reply. This clear statement should be thoroughly comprehended by all who claim knowledge of, or serve, in India; as well as by those who legislate for her. Above all it should be memorised by that small but vocal section of Indian Moslems whom love of opposition, or notoriety with a powerful well-organised majority has driven into the so-called Nationalists camp.[1]

Nationalist politicians and propagandists often succeed in implanting a prejudice against separate electorates by their use of axioms culled from Western political science by playing on the love of uniformity in the bureaucratic mind, and above all by claiming that the building of India as a nation is obstructed by separatism.

Imagine all Europe excluding Russia, a population and area approximating that of India, under the beneficent sway of an idealistic Government in the United States of America! How would the northern races of Europe care to come under a constitution for a "United States" of Europe based on the voting power and nimble wits of the Southern European and Slavs? And Europe is a far more homogeneous cultural entity than is our artificial unit, India. There is at all events the common bond of Christianity divided though it may be into sects.

1. The following extract from a letter from Mr. Shafi (now Sir Mohammed Shafi) dated Simla 22nd August, 1912, to the Syed, summarises the standpoint taken by the majority of reasonable Moslems:

"As you say we are not separatists in any sense of the term. We are always ready to co-operate with the sister communities in everything calculated to promote the true interests of our country. But the only sound basis of co-operation, to quote a passage from your letter of the 14th November last, is 'a modus vivendi' by which the two Nations (i.e. Hindu and Moslem) may work together for the common good whilst retaining their own communal existence and their communal rights.

"I entirely approve of the answer you gave to Mr. Jinnah in connection with his offer of the Congress Presidency to you."

Present-day India is an artificial unit. In Mogul times large portions of Afghanistan were Indian Provinces; while kingdoms in the Deccan were independent. As recently as the commencement of the nineteenth century large tracts of the Punjab acknowledged an Afghan king.

As yet the only binding force of an "Indian Nation" is the English language and the ideas conveyed by its medium, superimposed on the very small proportion of the population who can take advantage of secondary education.

Three hundred millions of her three hundred and twenty-five millions depend on agriculture, and have no use for a system of higher education which unfits them for the soil. Such education is, therefore, largely sought for as an avenue to the Government services or the profession, of which the law comes easily first. It is mainly "caste Hindus" of the towns, and the few Moslems left with a competence, who send their sons to High Schools. Untouchables are taboo, and Hindus from the lower or non-literate castes are frowned upon. Trade is largely in the hands of castes or hereditary traders or guild workers, manual work is scorned.

If a modern constitution, with a single electorate and without safeguards, is superimposed on a mediaeval economy, the "caste Hindu" will find himself in permanent power merely by the deadweight of votes which he can command from low-caste Hindus by his spiritual influence, and from them as well as from Moslems by the lever of monetary credit. Tradition, prejudice, and the obligations of caste, will oblige him to use power for his own benefit. In Southern India there are signs of revolt against these tendencies—but in other parts the "caste Hindu" element is so numerous and well organised that its accession to and retention of power will be certain, and unavoidable, under the above circumstances.

An attempt to point out facts such as these, which are patent to anyone with knowledge, evokes a torrent of argument from the party described as "Indian Nationalists," and their well-meaning but blind supporters in England. Neither can see that the acquisition of the sweets of power by an oligarchic section will lead to permanent discord, probably in the end necessitating Imperial intervention.

A recent instance of how the factor of caste operates in daily

life may be of interest. Workers in leather are regarded as untouchables. The shoemakers of a historic city of Northern India had been debarred by pressure of the higher castes from using the ordinary wells of their locality. Tired of their women having to trudge a long way to draw water, their caste council took corporate action and demanded the right to use the common wells. This was refused, upon which the shoemakers stated that if their request was not peacefully acceded to they would, as a caste, become converts to Islam the next week. The higher castes immediately waived their scruples rather than lose religious and political adherence.

Ordinarily the attachment of the low-caste man to the Hindu hierarchy which keeps him permanently in his place is pathetic. To a question what is his caste, his first reply is, "I am a Hindu man."

It must not, however, be thought that caste is wholly an evil institution. Its discipline is often an instrument of effective moral control, and the caste bond commands intense loyalty.

The Montagu-Chelmsford Reforms and Subsequent Developments

Mr. Montagu became Secretary of State for India whilst the Great War was in progress. He was an enthusiastic and clever man, with a thorough belief in his own genius and capacity to make India a country with democratic institutions that would be a marvel of history. He was an idealist and was surrounded by men of the same tendencies. He knew nothing of India and drew his impressions from people who helped to rivet his determination to democratise India without waiting for the evolution of the spirit of democracy in a country which has for ages been ruled by caste.

Although I have every sympathy with the desire for political progress, I could not help feeling that in the prevailing conditions of the country and the sharp differences which still exist between the various communities the British Government should proceed with great caution in the concession of self-government. Mr. Montagu threw himself with ardent enthusiasm into the work of constitutional development for India. It has been observed by some harsh critics of the so-called Reforms that his "Dyarchy"

really spells "Anarchy". I do not venture to go so far, but I am quite sure that the Reforms introduced by Mr. Montagu have not proved an unmixed blessing to the country. They have sharpended differences and given rise to communal strife excited by manoeuvres for position and power on the part of different communities, which would not have taken place had the people been allowed to develop spontaneously.

When Mr. Montagu went to India to confer with Lord Chelmsford in his proposed Constitutional Reforms, and to acquaint himself personally with the prevailing conditions, I took the liberty of sending him a Memorandum submitting for his consideration my views on the subject.

My study of the problem had extended over half a century and my actual experience of the people and their mentality had not been confined to one Province, or merely derived from High Court briefs. I was acquainted with the initial difficulties which commenced as early as 1880, and with the history of the controversy which convulsed political circles in the time of Lord Morley.

In this Memorandum I pointed out to Mr. Montagu the necessity of bearing in mind the importance of the agricultural population in the social economy of India, and of not allowing them to be pauperised by money-lenders. I also laid stress on the absolute need of maintaining a just balance between the two great communities and of proceeding by slow degrees. The development of the vast and multifarious population was not uniform; and what could be applied with advantage to one province was not suitable to other parts of the country. I urged him to deal with the problem by provinces; for example, to treat as more fitted for constitutional advance, provinces where the people as a whole had learnt the lessons of compromise and toleration. . . .

This advice for caution was repeated by me when presiding at a luncheon given by the Indian Community in England to His Highness the Maharajah of Patiala, and to Mr. (afterwards Lord) Sinha. I said that from the nature of our work on the Judicial Committee, we found India from Burma to Baluchistan, from the Himalayas to Cape Comorin, spread out before us like a chart, and we could not but notice the diversity of interests between

races and creeds. We knew how India under British guidance, albeit with many lapses and swingings back of the pendulum, had progressed from Cornwallis to Chelmsford. And I ventured to point out the necessity of so adjusting the machinery of Reforms, that any mistake could easily be corrected. I again dwelt on the importance of "going slow" and proceeding by provinces.

It was apparent to me that the idealistic Secretary of State did not like these views.

Mr. Sinha lavishly praised Mr. Montagu's great work. It must be said to my noble friend's credit that he never recanted from his faith in Mr. Montagu, and whenever he happened to be in England he always, as he told me, placed a wreath on his patron's tomb, which was somewhat different from another who was then a warm supporter of the Reforms, but who since has come to the conclusion that "Dyarchy" spells "Anarchy". That my views on the question were shared in some high quarters, was proved to me by a gracious appreciation of my letters to the "Times" on this subject.

I have often marvelled at the mental pliability of the Brahminical Hindu. It enables him to adapt himself to the conceptions of foreigners who come to his country in positions of influence. This was so under Pathan Sovereigns and Mogul Emperors. It has continued ever since. He has now adopted the letter but not the spirit of the great XIXth Century sages, Bentham, Mill, Herbert Spencer and others more advanced. To quote an instance, an English-educated Brahmin was recently expounding the theory of Home Rule for India with many well-known cliches such as "self-government is better than good government," and "political liberty is the most precious boon of mankind"; but closed with the proviso which embodies all the claims to privilege of the "twice-born" higher caste Hindus, "EQUAL RIGHTS FOR ALL MEN—THAT IS ALL NONSENSE"!

When Mr. Montagu and Lord Chelmsford proceeded on their tour to ascertain whether the peoples of India were advanced enough to receive the boon of democratic government, the oligarchic castes met them with pre-eminent zeal, and were ready to accept projects for Indian constitutional development in the firm belief that any advance would eventually bring them power.

During his tour in India, Mr. Montagu came under the influence of one of the most remarkable of my countrymen. He was one of the subtlest lawyers of the Hindu persuasion, with an igratiating manner and an acute intellect. He succeeded in convincing the Secretary of State that he had to provide for a homogeneous nation and not, as is the case, for heterogeneous races and communities. He acquired ascendancy over the minds of many of the men who were striving to give India a constitution.

His influence over the enthusiastic statesman was, to many, inexplicable. He claimed to have selected Mr. Montagu's peers who were introduced into the House of Lords where considerable opposition was expected. The one was Sinha whose recent death is mourned by the whole of India; the other Lord Meston, a British I.C.S. officer who now seems to see the dangers inherent in the principles inculcated by Mr. Montagu in 1917.

The Secretary of State's confidant claimed even to have provided Mr. Lloyd George with a Viceroy versed in the technique of Neo-Radicalism and in full sympathy with Mr. Montagu's aspirations for India's democratic development; and apparently succeeded in instilling into the mind of his friend that once the Reforms were launched all difficulties would disappear.

In spite of asseverations to the contrary, Radical statesmen are essentially idealists. Without regard to the difference in development of the several parts of India, or the communal divergencies between creeds and the different mental outlook of races, the Act was passed.

Had the Secretary of State in 1918 been as cautious as his predecessor in 1908 intended to be, I have personally little doubt that the Reforms which he inaugurated would have borne better fruit, but whether I am right or wrong avails very little in the settlement of the question whether India as a whole was prepared for the Reforms. To my mind the whole difficulty arises from racial and communal differences which from the nature of things exist in the country.

There are many ruling Princes of separate Feudatory States. In Southern India the Nizam holds a territory more populous than Spain. Mysore and Travancore come next. Rajputana is a mosaic of states large and small, and Northern India as a whole contains

many such principalities owing to circumstances which developed after the fall of the Mogul Empire. The powers of ruling chiefs are guaranteed by treaties with the British Government.

Apart from these facts, over the vast tracts of British India the people are divided amongst themselves in every part of country, even from village to village, into races and communities differing vastly from each other in their history and development. Many of the peoples inhabiting India owe their differences to distinctive origins.

Hindu Aryans—by which I mean the castes marked out in the beginning of Indian History—occupy a pre-eminent position in the social economy of Hinduism. As the Aryan Hindus progressed towards the East and South they absorbed many of the ideas of the aboriginal races whom they conquered and enslaved. It is natural that they should now desire to utilise modern political institutions to regain their domination over all the other races of India. Mr. Montagu failed to perceive this tendency.

The depressed classes number 52 millions or more, and are those who were rejected by the Brahmins from communion with ancient Brahminism.

The Moslems who came to India in the tenth century of the Christian era and acquired mastery of the North in the twelfth century, have a totally different outlook and political aspirations. In 1765 a Moslem Sovereign assigned to the East India Company the right of the collection of the revenue of Bengal, Behar and Orissa, the then richest Mogul provinces. In 1802 the Great Mogul granted title to the Company as virtual rulers of India.

In 1761, as I have said before, four years before the East India Company obtained the right to collect the revenue of Bengal and the other provinces, of Behar and Orissa, in the name of the Mogul Emperor, the great Mahratta Power was shattered as a confederacy never to rise again.

From 1765 to 1865, in spite of the great convulsion of the Mutiny, the Moslems enjoyed a fair share of state patronage. I have described elsewhere the disastrous effects of the changes then made by the Government, in an article already mentioned which I wrote for the "Nineteenth Century" in June 1882. This article was followed by the Memorial from the Central National Mohammedan

Association to Lord Ripon's Government in 1883. Two years later, under Lord Dufferin, the Government of India realised the necessity of dealing with the Moslem question in a spirit of broad statesmanship and with justice.

The Resolution which was issued in March 1885 is naturally regarded by them as their Magna Charta.

When Lord Ripon was leaving India he asked if he could do anything for me. I answered that I should be quite content if Government would accord a favourable consideration to the Mohammedan Representation.

The Moslems, unfortunately, all over the world have short memories.

The communal feuds which unhappily are now rampant all over India began with the Reforms. The real fact is that one community sees in the alleged democratisation of India, or rather British India, the chance of predominance by weight of numbers and better political organisation over the other communities; whilst the less organised sections fear the fate which was meted out to the Buddhists by Hindu reaction in mediaeval India.

And now that many provinces, districts, townships and villages, are seething with racial, religious, or sectarian hatred, British officialdom. as the true inheritor of Mr. Montagu's ideals, is inclined to take the line of least resistance in dealing with the difficulties of the situation. The pariah is weak, the Moslem has few votes; in a riot they must, therefore, be presumed in the wrong.

No one can accuse me of partisanship. I have never exclusively supported one creed, one people, or one sect. I have always pleaded for justice and fair play for all. Over 150 sects and peoples with different dialects and languages inhabit India. It would be monstrous to let one community dominate the others because it possessed by its numbers a larger voting power. I remember a time not so very long ago when all the communities lived together in peace and harmony, but that was before votes were made the subject of administrative policy.

In a later article in the "Nineteenth Century," after Lord Morley had upset the political equilibrium (besides the one of 1882

already mentioned), I have traced the stages of the decadence of the Moslem people under British rule. In all these years I have not changed my views; on the contrary I am confirmed in the belief that Governments by encouraging the idea that numbers and votes prevail, favour the present discord and agitation. So long as this attitude is maintained, there will be no peace in India.

The Communal Question

I venture to think that few who are not acquainted with India realise adequately the origin or the gravity of what are called "intercommunal conflicts," which have become in recent years rampant almost all over India, unless they know something of the causes that have fostered the racial hostility.

In my early days there was unquestionably more goodwill between Englishmen and Indians, and more friendly feeling between the races and nationalities of India than is now observable. This may have been due to the better breeding of the Englishmen, or to the lesser consciousness of power on the part of the militant sections of the population. There was also undoubtedly less hostility between section and section.

There was no "Communal Question" to divide the Hindus from the Moslems. The hand of Government was not stayed by clamorous factions; each community was free to exercise the rights of its religion without interference by the other; and as I have said before there was often much friendly feeling between individuals and families of the different communities and religions.

The political situation, which has arisen in India within recent years, is in one sense, no doubt, a protest against racial arrogance. The violent agitation to pull down a fabric, for which at present there is no substitute, is largely due to lack of breeding and good manners among a proportion of persons going from the West to hold office or to work among races and communities with old civilisations of their own.

The idea, however, of substituting one trained bureaucracy by another, inexperienced, narrow in its vision, and without prestige to maintain its power, does not strike inflamed minds as fantastic.

It has been wisely observed by a real friend of the country that "the crude wine of rapid reforms may work like poison in the veins of India."[1]

I cannot help observing with some anxiety that the Central and Provincial administrations are not so strong as two decades ago. Nor can I forget 1921, when the peasantry of a part of the United Provinces arose in mad revolt against the exactions of their landlords and when crimes were committed over which racial or caste pride has thrown a veil. "The sun-dried bureaucrat" of Lord Morley shewed laxity of grip, but others were found to be more wanting.

Moreover in the anxiety to placate the majority, more pressure is brought to bear on minorities than was the case in previous years. It is the story of the daughters of the horse-leech, to those who clamour the more the more is given. What astonishes me most is the fact that even when the Moslems are within their rights and desire to carry out the dictates of their religion without interfering with the rights of others, the Government is sometimes weak enough to give in to the majority, and evade making [sic] for the protection of the members of the weaker and less clamorous community. This in the end leads to serious trouble for the administration and to the imperilment of public security.

I greatly fear that "rapid reforms," though they may satisfy idealists who wish to write their names as constitution-makers on the pages of history, may lead to a convulsion in which the whole fabric of the Indian Empire may stand to lose what it has gained since the Mutiny.

My fear that "rapid reforms" and administration by an inexperienced bureaucracy, wanting in the spirit of collaboration for the national good, will lead to the undoing of India, is supported by the strong indictment the Bengal Government has levelled at the Calcutta Corporation. The charge is not only of incompetency but of extravagance and waste of public funds with neglect of duties. The Memorandum is so important and sheds so much light on *swarajism* in action that I am tempted to

1. Sir Walter Lawrence, "The India we served," p. 190.

quote the summary telegraphed from Calcutta and published in the "Times" of the 29th June, 1928:

"CALCUTTA CORPORATION.

Swarajist Extravagance—Calcutta, June 27th

"The Government of Bengal in a Memorandum on the working of the Reforms strongly criticises the Swarajist regime in the Calcutta Corporation.

"It says that there is little check on extravagance, consequent upon the authority of the Chief Executive Officer being reduced to a shadow, that there is growing indiscipline among the staff, and that no progress has been made in the solution of the urgent problems of drainage and water-supply. There is a most objectionable relaxation in the matter of building rules and in the collection of unpaid taxes, and the balances are consequently depleted and the borrowing capacity reduced. Until the administration is conducted in the interests of the inhabitants of Calcutta and not of a political party, the chances of improvement are small."

The desire for change, no doubt, springs in large part from the natural objection of the higher races of India to be treated as inferiors by overseas strangers. Swarajism is only a revolt against the domineering cult of the "white man's burden". In my early days, the outward manifestation of this cult was kept within bounds by good breeding and good instincts. The continuous influx of strangers who owe no responsibility and possess no traditions, has led to a deplorable deterioration of manners. And yet, although the "revolt" is natural, it is in my opinion hopelessly misdirected.

The Central Government has, in its anxiety to conciliate the discontented classes, lost some of its authority. It is refreshing to see, that one of the provincial governments has had the courage to condemn in unhesitating language the flood of calumny that has [been] poured on public servants. Again the Bengal Government has broken the recent traditions, and carried war into the enemy's quarters. "The Times" of the 5th July, 1928, published the following telegram from its Calcutta correspondent, under the heading of "Press in Calcutta":

"The official report of the Bengal Administration for 1927, which was published to-day, in discussing the unrestrained licence of the Indian Press, says that the Government in the eyes of these newspapers, can do nothing right, and throughout the year had to face the ordeal of a 'morning hate' from the Editorial forces of almost all the newspapers of Calcutta.

"This campaign of unscrupulous misrepresentation, says the report, has now gone to such lengths that it is difficult to justify further tolerance, and the evil results of its persistent vilification on an ill-balanced community have already manifested themselves in ugly and ominous forms. The reputation of the official classes and of the Government has been seriously undermined by the unending repetition of falsehood, and it is idle to hope that ultimately the truth will prevail through its own inherent strength. Before that comes about irremediable mischief may have been done, and the existing state of things should, therefore, be brought to an immediate end.

"The report pays a high compliment to the European press saying that 'the serene confidence of its editorial columns kept it far above the sordid clamour of its rivals.' In justifying its difficulties the report refers to the verdict against 'The Statesman' obtained by Mr. Bose, a former political prisoner, on account of its article on Lord Lytton's speech, and says that to the lay mind it is incomprehensible that the public utterances of a privileged person may be quoted in full, however libellous, but on any attempt to draw obvious inferences a newspaper may be called on to produce proof which is not available to the public, although there is full assurance that it exists, and widespread confidence exists in its truth."

The latest instance of the recklessness of the Calcutta Swarajist press is supplied by "Forward," the Berlin correspondent of which asserts that British agents distributed photographs of Queen Sorayya in European evening dress in Afghanistan, and in Persia during the royal visit, is in hopes of stirring up a rebellion among fanatical Afghans.

India has never been a homogeneous country. From the earliest times it has been inhabited by diversified races, differing in customs and religions and languages. When the Aryans burst into "the land of five rivers" it was not uninhabited. They either slaughtered the original children of the soil, or enslaved them and they formed the nucleus of the lowest castes who became the hewers of wood but not the drawers of water, for their touch

was defilement and pollution. The three superior castes formed the kernel of the nation. There was an impassable barrier between the several ranks of society or caste, and caste has remained for ages the quintessence of Hinduism and still governs the lives of the people who accept its rules.

Among the three castes who form the aristocracy of the Hindu social system the Brahmin occupies the pre eminent position; he is not only the expounder of the law and the counsellor of the king, but he furnishes the avenue that leads to heaven. The worshippers' part in the worship of the gods is all in the hands of the officiating Brahmin. It is he who lights the fire, offers the perfume, and recites the incantations which cause the divinities of the pious Hindu to descend to earth.

As the Brahminical Aryans advanced eastward and southward and reduced to slavery the indigenous population who formed the *Sudra* castes, they amalgamated the divinities of the new converts with their own, in order to secure uniformity. And yet the *Sudra* was considered so low that in the Institutes of Manu, that "hoary sage whose identity is lost in the mist of ages," it is declared that if a *Sudra* by chance heard the Vedas (the sacred books of the Brahmins) recited "molten lead was to be poured into his ears." And if a *Sudra* unwittingly sat down on the same seat as a Brahmin, "he was to be branded on the offending part with a hot iron".

It can hardly be said that Brahminism received the taint of intolerance from its Moslem rulers. As a matter of fact the ***Mitakshara***, the great work of Vidyaneswara, was compiled in the full tide of Moslem conquest; and the learned lady Balambhatta wrote her commentary about a century and a half later under a Moslem Sovereign.

Brahminism suffered an eclipse under Asoka, and the Buddhist kings and emperors, but its revival is depicted in ghastly colours on the temples of Madura. Buddhism was wiped out in India and Sakyamuni's votaries are now only represented by stray pilgrims from outside the land of Buddha's birth.

The British Crescent Society and the Balkan War

It was sometime before the Great War that I was invited by the "Chatham Dining Club" to address them on the subject of British Policy towards the Moslem States. This Club was established by earnest young Conservatives, afterwards destined to play a great part in the administration of the Empire. Earl Percy, now Duke of Northumberland, and Mr. George Lloyd, M.P., at one time Governor of Bombay, now Lord Lloyd, and British High Commissioner in Egypt, and other young statesmen, were members of this select circle. The Hon Aubrey Herbert, M.P., Sir Mark Sykes, and others were among the most ardent. Alas, like so many of the pick of British youth, Major Ommaney was killed in action, Mr. Samuel Pepys Cockerell died of smallpox on service in Egypt and great-hearted Aubrey Herbert came to an early end as a result of hardships and wounds undergone during the war.

They asked me several times to speak to them on the cultural influence which Great Britain could, by reason of her position and prestige, exercise throughout the Moslem world. I pointed out that ranging from the confines of the Atlantic almost to the Pacific there was a block of Moslem countries with ideals and modes of thought intrinsically prepared to accept the cultural dominance of Great Britain and that it was her moral duty to take up that position.

I had long considered it a discredit to the Islamic world that the capital of the British Empire which ruled over vast millions of the followers of Islam did not possess a suitable place of worship for the Moslem subjects of the King and Moslem visitors coming to England. In November 1910 I launched the project I had cherished of a Mosque in London.

The Executive Committee applied officially for the gracious patronage of the Sovereign, but we were informed that the Secretary of State for India, Lord Morley, had advised adversely. Our application was accordingly refused.

The Sultan-Caliph Mohammed V and the ex-Shah of Persia gave their assent to become Patrons of the fund and contributed £1,000 each, in furtherance of the project. The Late Nizam also

subscribed rupees 25,000 and His Exalted Highness Asaf Jah Nizam-ul-Mulk has recently contributed £1,000. We also received other subscriptions from Persia where the project has aroused great enthusiasm.

I perceive with sorrow that there appears to be, for some occult reason, a general decline of interest in the furtherance of the duties enjoined by their religion among the rich Moslems of India. With some notable exceptions, magnates and ruling chiefs, whilst ready to contribute lavishly to objects favoured by Government functionaries, tighten their purses when an appeal is made to them for a pious or a religious purpose with every guarantee for its proper performance.

This is in glaring contrast to the Moslems of North Africa, who with the assistance of the French Government have collaborated in building a Mosque and Institute in Paris worthy of the Moslem citizens and colonials of the French Empire.

Comparatively a small proportion only of the large sum needed for a Mosque in London was subscribed, and this fund is deposited in the Bank of England under the Trusteeship of Lords Ampthill and Lamington, and H.H. the Aga Khan, associated with me.

In 1926 Her Highness the Begum of Bhopal came to England accompanied by her younger son Hamidullah with the object of procuring his recognition as her successor on the throne of Bhopal. Whilst the Begum was in London she made promises of help to build the Mosque and also to add an annexe to the Mosque at Woking, which her mother had greatly assisted in founding. These promises have not yet come to fruition.

For students of European history the annals of the great Sultans of Turkey are full of interest. No nation suffered so much from hostile attacks, and survived, as the Ottoman Empire between 1800 and 1914. There was a War in 1812; another in 1840; the Crimean War commenced with an attack on the Turkish Danubian Provinces in 1854. Turkish frontier towns both there and in Armenia became famous for their gallant defence under British officers. In 1876 the Servians were hopelessly defeated by a great general of the old regime: but they were saved from re-conquest by the intervention of Russia, which in 1877 forced another War on Turkey. A vivid account of the events of the time is to be

found in Queen Victoria's letters.

The upshot will be remembered by all. An independent Turkey and the independent control of the Straits was then a cardinal principle of British Policy. Lord Beaconsfield sent the fleet up the Dardanelles and brought Indian troops to Malta, to show the Russians that he was prepared to maintain the policy of the Empire at all costs.

My interest in old Turkey dates from 1877 : from the Journal called the "Dar-ul-Khilafat" which was published in Arabic at the time in Constantinople, I was able to follow the course of the struggle between *Constitutionalism* under Midhat and *Absolutism* under Abdul Hamid backed by that Arch-intriguer Ignatieff. When the Russians had marched on Constantinople there was great excitement in India. A large sum was subscribed for the relief of the Turkish sufferers which was sent through the British Consul as there was sympathy with them at the time in England.

In 1897 the Greeks wantonly attacked Turkey, but were badly beaten by Edhem Pasha; the Crown Prince Constantine who commanded the Greek Army incontinently fled to Athens. The Turkish pursuit was stopped by England and Russia. Some years later the Turks were unexpectedly attacked in their North African Province by Italy. They had no field hospitals or equipment and but few doctors to attend to their sick and wounded. Nor was there any provision for the relief of the starvation and distress which overwhelmed the civilian population of Cyrenaica and the Tripolitaine. The small body of Turkish regular troops were wholly outnumbered but they and the Arabs fought heroically and suffered terribly. The wantonness of the attack and the suffering of the people naturally caused excitement among the Moslems in India. As the British Red Cross would give no help some English sympathisers resolved to form an independent society styled the British Red Crescent Society to give relief to the sick and wounded and to help the starving irrespective of race or religion. The original Committee was composed of twelve members and I was elected President. The constitution of the Units and the despatch of relief was [*sic*] in my hands. The British Foreign Office gave every facility to our humanitarian efforts and our surgeons and hospital attendants met with great civility from the French

Authorities on their way to the battle area.

It will be remembered that the Tripoli War commenced with the descent of an Italian fleet and army, without any premonitory tension, on the Coast of the African province of Tripoli, then an Ottoman possession. The following note compiled from the reports of the Society may be of interest:

The staff of the first field hospital, under Captain Dixon Johnson's (late Inniskilling Dragoons) direction, consisted of:

Dr. Bernard Haigh,

Mr. Charles E. Holton Smith

Dressers, dispensers, and male nurses.

As this hospital was the first practical exhibition of Moslem and English co-operation in a great work of mercy, its departure from London on February 14th, 1912 attracted much attention. The equipment comprised sixty beds and the latest appliances for surgical operations. The Mission also carried funds for the relief of Arab non-combatants, consisting mostly of women and children who were in a state of acute distress.

Dr. Bernard Haigh had often to work with inadequate help, owing to the illness of his assistants; at one time, indeed, three members of the staff were on the sick list. An incidental advantage of the presence of the Mission was the help it was able to afford to at least one war correspondent working under exhausting and difficult conditions. Dr. Smith practically saved the life of Mr. Alan Ostler in March at Azizia. The Central News wiring at the time said: "Mr. Alan Ostler, the correspondent of the 'Daily Express,' is recovering from a severe illness (typhus). He probably owes his life to the magnificent devotion of Dr. Charles Smith of the British Red Crescent Mission who, rather than leave his patient during the crisis of the illness, watched by his side day and night in the open desert with a single sentry on guard." Mr. Ostler himself says: "The Mission had come out under the auspices of the British Red Crescent Society, although I hope that some of the money spent upon it came from purely British pockets."

Owing to the large influx of sick and wounded it became necessary in May to send out an additional dresser and three male nurses. The area of the conflict having extended, the Committee decided in June to send out a further unit under Dr. Gordon Hill

with a complete ambulance and with food supplies and clothing, the latter for relief work. This unit left London on June 12th accompanied again by Captain Dixon Johnson, who had returned for the purpose.

"The British Mission took in out-patients from all the surrounding country, unlike the other hopitals which treated military invalids only. Daily the little tents were thronged with sufferers from ophthalmia and sores and old diseases. Mothers came bringing ailing children, men who had suffered long came confident of help, and always received it. They lost their terror of the knife when in the surgery tent they saw tumours and ulcerous growths removed without a sign of pain. Against ophthalmia, the curse of all lands wherein dust and flies abound, the English doctors waged a mighty war and many who had hardly known daylight from darkness blessed them for the gift of sight restored."[1]

Early in September another doctor was sent to replace Dr. Smith who had returned to England. Dr. E. Griffin underwent the greatest trials on this journey to Tripoli, and, besides his own possessions, lost all the medical stores and supplies entrusted to him for Dr. Bernard Haigh. After great difficulties he reached the main hospital where he worked devotedly, until March 1913. Dr. Griffin was awarded both the D.S.O. and M.C. when serving in the R.A.M.C. during the Great War.

An eye-witness says: "It is a splendid work; you are helping both the heroic army which has so gallantly resisted the Italians, and the uncomplaining poor of Tripoli who have suffered bitterly from War following upon many bad seasons. I only venture to hope that, having made so fine a beginning, your Society will find it possible to continue, even to extend, the work."

On the conclusion of peace between Turkey and Italy the Society left a small Mission at Yffren, consisting of Drs. Turnbull and Griffin and two assistants, to minister to the sufferings of the patients still remaining in the hospitals and the vast number of sick people who had learned to look to them for medical relief. Dr. Griffin shortly after returned to London, via Turin, whilst Dr. Turnbull remained in charge of the Mission's work of mercy

1. Alan Ostler of the "Daily Express" in his account of the work of the Mission.

until Yifren fell into Italian hands. He and his assistants with the interpreter were kept in detention by the Italians for several weeks when, by the intervention of the British Consul, they were released.

While the British Red Crescent was carrying out this relief work in North Africa the storm burst which had hung over Turkey for a long time in another direction, and which was virtually the preamble of the calamity which fell on the whole world in 1914. She was attacked by four Balkan States, Bulgaria, Servia, Greece and Montenegro, with the prospect of the ill-concealed support of the "Colossus of the North" and her allies, open and covert. The genesis of the war needs some prefatory remarks. In 1908 the Turkish "Committee of Union and Progress" were able to checkmate and ultimately to depose Sultan Abdul Hamid. They sent a Parliamentary Deputation to London with the object of bringing about an "Offensive and Defensive Alliance" between England and Turkey. The Deputation was received with great ceremony and a Luncheon, at which the Prime Minister was present, was given to them by the Foreign Secretary.

The stalwart patriot Ahmed Riza Bey, who had spent many years in exile from Turkey for his political opinions, dined with us that same night. He waxed very eloquent over what Turkey would be able to do for her internal development with the possible help of England. The failure of the hopes of the Turks is writ large in history. England was too much pledged to Russia to take up their cause.[1]

Whilst the Turks were still in some sort of favour, or perhaps it would be more correct to say while England was maintaining a neutral attitude, the Greek Minister Dr. Gennadius came to me

1. The following quotation from a letter written at the time refers to the movement for Reform in old Turkey and to the Syed's sympathy with it:

"His valuable interpretations of the text of the Koran which have enabled the Turkish Reformers to convince the Sheikh-ul-Islam that the grant of a constitution by the head of a Moslem State was not opposed to the precepts of the Koran, and that the Caliphate would not suffer in prestige by admitting non-Moslems to civil equality and rights with Moslems in the Courts of Law. The far-reaching effects of Mr. Ameer Alis work for the salvation of Turkey will be better appreciated by the historian of the future."

several times to ask me to use my good offices as a friend to forward a *rapprochement* between his country and the Ottoman Empire. He advocated an Offensive and Defensive Alliance between the two nations. I was strongly in sympathy with this proposal. Had the Turks acted on these suggestions the history of the Near East would have been differently written. But the Turkish Ambassador allowed himself to be swayed by the counsels of two men, one of whom could hardly be described as statesman. I was told they had just concluded an arrangement with one Balkan State (it is not necessary to mention which) and "were prepared to fight Greece with one hand tied behind their backs". If, however, Greece would agree to the rendition of Tressaly, they would accept the proposal. Mr. Gennadius would not, perhaps could not, accept this condition—and much to my regret the matter was dropped.

Later I received an informal message from Count Benckendorff the Russian Ambassador asking me if I would be good enough to call on him, which I took an early opportunity of doing. He received me most courteously, and we had over an hour's friendly and candid talk on the Eastern Question. He imposed no limitation on our discussion or suggested that our conversation was in any way confidential. He told me in substance that the Balkan States proposed to form a confederation designed against Austrian ambitions: "would Turkey be inclined to join as *primus interpares*?" (I understood that Russia encouraged the plan.) I replied that I could not answer his question without ascertaining the views of Tewfik Pasha the Turkish Ambassador. Count Benckendorff agreed with me that I should do so, and I accordingly made an appointment with the Turkish Ambassador and told him of my conversation with the Count. He expressed gratitude for the courtesy and consideration shown by the Russian Ambassador, and added, "before writing to my Government on the subject I should like to be clear on one point, if Turkey is attacked by Austria, would Russia or the Balkan Confederation come to her assistance?" I submitted the question to Count Benckendorff and so far as I remember the answer was an emphatic *non-possumus*.

The next I heard of the Balkan Confederation was in somewhat

tragic circumstances. In August 1911[1] when I was staying in the Engadine an Austrian diplomat, an old acquaintance, came over on a visit from St. Moritz, and gave me the first news of the Balkan conflagration.

The veteran soldier and Grand Vizier Ahmad Mukhtar Pasha, I believe, did his best to meet the enemies' onslaught but had immense difficulties to contend with. The Bulgarian and Servian forces marched up to Chataldja where they were held by the Turks. The Red Cross sent a unit under Colonel Doughty-Wylie (who afterwards fell in action *against* the Turks at Galipoli and was awarded a posthumous V.C.) to help the sick and wounded, but this unit was hardly strong to help both armies.

All my leisure from judicial work was now engrossed by the increasing responsibilities of the British Red Crescent Relief. The following is a brief summary of some of the Society's activities during the Balkan Wars:

The Treaty of Lausanne, signed at Ouchy on October 18th, 1912, had brought the Turco-Italian War to an end; on the outbreak of the Balkan conflict so long expected and feared by Europe, the first hospital of the Society in Tripoli was promptly closed in order to transfer Dr. Bernard Haigh with a fully equipped field hospital to Constantinople.

On October 17th, the Committee determined to despatch a further Mission at the earliest possible moment to Constantinople.

Through the kind help of Mr. Harold Nicolson, at the time attached to the Brirish Embassy in Constantinople, accommodation was secured in advance for the members. The unit including the British Hospital sisters under Colonel Surtees, C.B. (late Coldstream Guards afterwards Brigadier-General Surtees) as Director of the Mission, left London on November 1st. travelling from Marseilles. They arrived at Constantinople on November 14th, 1912, and our hospital was located at Scutari. The Society was most fortunate in obtaining the services of Colonel Surtees, who had filled with distinction the position of Military Attache at Constantinpole and also at Athens, and possessed an intimate knowledge of Turkey and its people and languages.

Within a fortnight of the departure of the first unit, the

1. For 1912—Ed. "Islamic Culture."

second was despatched with two more surgeons. It met with considerable difficulties from the Greek authorities. In spite of the fact that the Foreign Office had duly advised the Athens Government on behalf of the Society of the despatch of the Mission, the whole of the staff were searched and taken prisoners of war and detained four days. The representations made on the subject then secured their release.

On arrival, Dr. Baynes found cholera raging among the Ottoman troops, and hearing that all cholera suspects were being drafted *en masse* to San Stefano (twelve miles from Constantinople) immediately visited the place. He found the conditions at San Stefano appalling.

With the assistance of Major Doughty-Wylie, the chief of the British Red Cross Mission, he established a temporary hospital by obtaining twenty military tents, no house being then available for hospital purposes.

Towards the end of December the International Board of Health paid Dr. Baynes the compliment of asking him to accept charge of a new hospital to be established at San Stefano, and to manage it with the British Red Crescent staff. He accepted the responsibility and the hospital was formally opened on January 23rd, 1913....

At the end of October 1912, a communication was received by the President from the Foreign Office stating that numbers of Turkish wounded were lying untended at Sofia, Philippopolis, and Adrianople. The Bulgarians were unable to cope with the demands upon their medical resources and naturally first attended to their own sick and suffering. The British Minister at Sofia cabled that a Mission would be welcomed. The call could not be refused, particularly as a handsome special donation towards responding to it was made by His Highness the Aga Khan. The matter being urgent, a staff was engaged by the Committee and despatched on November 12th, 1912, with some medical panniers and drugs.

Dr. W.E. Haigh with Mr. C. R. Taylor (a volunteer), two dressers, and two orderlies, constituted the Mission.

Two ladies, Miss Gregg and Miss Pedlar, also volunteered to assist Dr. Haigh and they joined his staff for more than two

months. It is a matter for special satisfaction to record that Her Majesty the Queen of Bulgaria rendered the Mission most valuable assistance in supplying quantities of tinned milk, dressing, etc.

Mr. Turner wrote about Adrianople after its surrender to the Bulgars on April 4th as follows:

"You will be glad to know that owing to your promptness in sending money we were able to take provisions into the city days before any one else, and up to the present yours is the only relief that has arrived. The city was in great disorder, and some of the Turkish hospitals in the direst straits -patients had no food for four days. I distributed at once flour, potatoes, beans, rice, cheese, oranges, etc., to those hospitals and shall continue to do so if they need.

"The Turkish prisoners were also in a terrible plight—some 6,000 are confined on an island in the river on one side of the town, and 15,000 or 20,000 on the banks of the river, on the other, with no shelter, except a few tents for the sick—entirely inadequate—and no warmth. Provisions which at first were one loaf per day to eight men, are now one loaf per man. Every day at least 200 die. They are being marched off as fast as possible, but there are still at least 20,000. We have established a soup-kitchen on the island, and to-morrow establish another on the banks of the river. As our stores are at present the only ones available, the American missionaries are assisting us."

He was followed immediately by Dr. W.E. Haigh, accompanied by Miss Peddar and Doctors Calthrop and Bayliss.

In the midst of these onerous duties Dr. Haigh found it necessary to visit the hospital at Kniajevo, one sister having charge of a ward of serious typhus cases. Both the sisters there were working under terrible difficulties. Writing on April 17th Dr. Haigh says:

"We have had all sick from the Marash encampment cleared off and possibly 400 to 500 of them are now under a roof and having direct attention.

"Four days ago we were directly responsible for the feeding of two hospitals of this kind, with controlling and medical interests in three other buildings. Apart from our help the Bulgarian authorities are giving nothing but bread—although they have a ration once a week on paper of rice, churba, and meat."

Major General Broadwood,[1] whose kind help as a volunteer the President had been able to secure, for relief at Dedeagatch, then took charge of the relief work at Adrianpole. His energetic and earnest representations to the Bulgarian authorities respecting the treatment of the prisoners were effective. The following extract will give an idea of the work organised by this distinguished officer. Writing on 15th, April he says·

"Your funds have hitherto been employed in alleviating the conditions of the prisoners of war, some 25,000 here (Adrianople), and 10,000 at Mustapha Pasha. The prisoners had been neglected and many were in a deplorable state of sickness and want; they were dying in large numbers. We moved as many as possible of the sick into the existing Turkish hospitals and established two further temporary hospitals containing some 200 and 600 respectively. Soup is being issued to some 5,000 prisoners in addition, and I am establishing cooking arrangements for the weakly prisoners at Mustapha Pasha."

Reporting on these, General Broadwood says:

"Families of officers and soldiers and of Government employees or pensionaires of the Government have all to be dealt with for the present. We are doing what we can to tide over the present stress by a daily distribution of 15,000 loaves of bread and the allotment of monetary relief in special cases."

The distribution of loaves was later increased to 20,000 a day. The number of prisoners of war divided amongst various camps and hospitals was estimated by General Broadwood at from 20,000 to 25,000.

General Broadwood reported to the British Red Crescent Committee that the number of lives saved by Dr. Haigh and his colleagues could hardly be estimated. He added: "I am giving bread daily to nearly 45,000 people, on which the Mufti and other Turkish gentlemen assure me the city is practically dependent." No more striking testimony could be given to the value of the Society's work than these simple unadorned statements.

A soup kitchen was started in Constantinople under the direction of the Rev. Robert Frew who had with such devotion and self-sacrifice assisted Dr. Godwin Baynes in tending the cholera patients at San Stefano. It was first proposed to give 2,000 portions of soup daily, but the numbers presenting themselves and

1. Killed at Loos in the Great War.

begging for food were so great that the work had to be extended and eventually 7,000 people were fed every day. No small proportion of them came from miles away bowl in hand to fetch the daily dole. The distribution began at one o'clock, and often lasted four hours, the representatives of about 1,500 Turkish families passing through the tent every day. The cost of running the kitchen for feeding these people was estimated at £600 per month, and the relief lasted up to June 22nd, 1913.

Mr. Frew was assisted in his work of ministering to the starving thousands by Sister Warriner, one of the nurses of the British Red Crescent Hospital staff, who had been sent out when cholera was raging among the Turkish soldiers. She attended to mothers and babies.

The British Red Crescent Society's representatives were thus able to save the lives of thousands of these babies and small children.

In addition to this relief work, Sister Warriner found many cases of smallpox, measles, and other illnesses needing care. Patients too ill to be nursed in the mosques were then taken by ambulance to the refugee Hospital, where they had every care. In addition to the refugees housed in the mosques some were living in houses, stables, and rough shelters. These were more difficult to find and to deal with, but, as far as possible, they were visited from time to time.

After the recapture of Adrianople by the Ottoman Army, the Rev. Mr. Frew undertook the stupendous work of relieving the destitute Moslem peasantry of Thrace. Their houses were burnt down, their fields were unsown, their cattle were killed or sold for food. The land was in absolute desolation from one end to another. These were the people whom Mr. Frew undertook to help with the British Red Crescent funds, and nobly he did this work.

In the meantime his place in the administration of the soup kitchen was taken by another volunteer, Mr. Stephen Hobhouse, to whom also the Society owes a deep debt of gratitude.

In March, Captain Wyndham Deedes (now Brigadier-General Sir Wyndham Deedes, then of the Ottoman Gendarmerie), joined Wheatley in the administration of relief in Asia Minor, on behalf

of our Society. In addition to the thousands of families succoured by Colonel Surtees and His Highness Damad Ferid Pasha's Committee on behalf of the Society, Captain Deedes and Sister Wheatley relieved altogether 27,291 Rumelian refugees in seventy-seven villages in the vilayet of Broussa (Khudavendghiar).

Appeal came in from the British Consul-General at Salonica and the Committee forthwith allocated a sum of £100 per week to supply relief With this money a French Sister-of-Mercy, Sister Augustine, was enabled to establish soup kitchens which fed daily more than a thousand people.

Having regard to the utter impossibility of immediate repatriation of the refugees owing to the certainty, as stated by Colonel Delme-Radcliffe, of their being massacred, the Committee remitted weekly £200 to Mr. Consul-General Lamb during the whole time the distress was at its worst to supply sufferers with bread. Altogether the Society remitted £1,600 to the Consul at Salonica.

Feeling that the only hope of saving the lives of these refugees, or at least of the remnant that could survive till then, was to supply them with means of transport to Asia Minor or Egypt, the President appealed direct to His Highness the Khedive for assistance. His Highness immediately wired back in reply: "Two thousand pounds sent British Consul five days ago. Another four thousand pounds worth of food leaving in Red Crescent steamer, chartered at two thousaud pounds making eight thousand sent to Salonique alone. We are doing our utmost, and beg to thank you for generous assistance."

In Western Macedonia and Albania there was great need. In December 1912 a telegraphic appeal was received by the Foreign Office from His Majesty's Vice-Consul, saying that "there is urgent need of immediate assistance for 10,000 entirely destitute Moslems now in Monastir."

Pere Clement, Superieur de la Mission Sacre Coear (a French Mission at Gallipoli,) gave the Society invaluable assistance in relieving the distress among the Moslems of the Gallipoli district and wrote in the following terms:

"The Mussulman refugees continue to flock here, returning from Asia, whither they had fled at the commencement of the war; and now that peace is at last to be signed they have been sent back to

people our 'deserts.' It is just a mass of ambulatory misery."

The World War

On the 2nd of November 1912 the "Morning Post" had published a letter from me in which I expressed my conviction that the first Balkan War had caused the collapse of Turkey as a great power, and had brought nearer the inevitable conflict between Slave and Teuton; but I little thought that it would be so soon and involve the rest of the world. The Great War came upon us like a thunderclap. My belief had been that self-interest, if not intellectual and racial ties, would outweigh individual ambitions or machinations which were tending to involve Great Britain and Germany in a colossal conflict. On the declaration of War by Great Britain, the British Red Crescent Society again commenced its activities. It presented to His Majesty's forces operating in Flanders a fully equipped Motor Field Ambulance.

When the Indian Contingent arrived in the North of France the Society's help was asked by a number of Officers, to supply the men with "comforts" to mitigate the rigours of the climate to which they were unaccustomed. As this form of activity was not included in the objects of the British Red Crescent Society, I inaugurated a separate Fund under the name of "The Indian Troops Comforts Account," which was worked by the voluntary assistance of friends in England. We received most generous help in money and material from all parts of Great Britain, and were thus able to supply to a number of Indian Regiments, through their Commanding Officers, additions of special things to their already generous diet, as well as comforts and footwear; and most welcome of all, as we were told, waterproof turban covers and trench boots, and such-like. Adjutants and other officers were good enough to write direct to me for any particular needs of the men under their charge. The diversity of nationalities among Indian Regiments, requiring different kinds of food and necessaries, etc., made our task anything but monotonous.

Besides the comforts for soldiers at the front, we sent parcels of food and of articles to ease their captivity, to the Indian and Algerian prisoners in German hands. We also communicated for them with their families during their detention, and it was

gratifying to me later to get letters from Indian soldiers who had returned safely to their homes.

At times British Officers, who were prisoners of war, informed me, through letters to their relations at home, of certain hardships to which captured Indian Officers were subjected. One was a case of solitary confinement. With the kind help of neutral Embassies I was able to mitigate their lot.

Note: The following letter from the Secretary of the Indian Soldiers' Fund was found among the Syed's papers, along with one from him referring to it. As will be seen it refers to the prisoners taken by the Turks at Kut, namely the whole of the survivors of Townshend's Army.

What action was taken on the Syed's communications is not known; probably any continued relief was rendered abortive by the entry of the United States into the war, and the withdrawal of the only neutral Ambassador who had any influence with the Turkish coterie responsible for the conduct of the war.

The order of St. John of Jerusalem in England.

Indian Soldiers' Fund Committee
1, Carlton House Terrace
London S.W.

"Dear Mr. Ameer Ali,

I wonder if you will be able to be of any help to us in the following matter:

As you know something like 14,000 prisoners were taken by the Turks at Kut, of whom between 9,000 and 10,000 were Indians. During the past few months, the Turks have been gradually transferring these prisoners to Asia Minor, but, in spite of every effort on the part of the India Office and Foreign Office no official information has so far been received as to the exact place in Asia Minor where the prisoners are being interned. It has, at different times, been stated that the men or officers were to be sent to such places as Angora, Brusa and Konia in Asia Minor, and some we know are at Affium Karahissar. Others are still at Baghdad, especially those that are sick, and some we know have arrived at Aleppo, on their way to their final internment camps.

Towards the beignning of July a Conference was held at the India Office, at which the Foreign Office, India Office, War Office, Royal Army Clothing Department, Prisoners of War Help Committee, and ourselves were all represented, to consider measures for sending comforts and clothing to these prisoners of war and get a route to them opened out through the kind offices of the American Ambassador in Constantinople. The subject, however, is beset with difficulties because land route to reach Constantinople must necessarily pass through Bulgaria, and the ports, such as Smyrna, Adana, Alexandretta; at which supplies might be landed, are all, of course, enemy ports. So far no satisfactory communication has been received from the American Ambassador, and everything is at a standstill.

Although we know that the Turks treat their prisoners with humanity we also know that they themselves are none too well supplied with ordinary comforts, hospital comforts or clothing. We also know, from private letters, that many of the officers, even of high rank, have no clothing other than

The Angora Turks

The story of my conflict of opinion with the Angora Turks may here be related. I had long made efforts on behalf of Turkey in the affirmation of her rights in the comity of Nations, and in the relief of the suffering and distress to which her unfortunate people had so often been subjected, and I believe that the much abused "Old Turk" who was a nature's gentleman, was grateful.

In 1877 when the Russians were hammering at the gates of Constantinople I used my endeavours to explain to the West how necessary was an independent Turkey to the peace of Europe. This was, and had been for long before, the keystone of the foreign policy in the East of the British Government; but a large party

the rags in which they have done long marches on the way from Baghdad all these months past. We have sent to the American Ambassador £1,000 in cash for distribution through the Ottoman Red Crescent, and with the help of the American Consular Officials, the British Red Cross Society has done the same thing, or rather has sent £2,500 to provide hospital comforts, through the same agency. The Red Cross Society, I may mention, is willing to spend any sum of money in reason to get stores forwarded to these prisoners. We ourselves have at the present time over £13,000 in hand for expenditure on providing comforts and clothing for the purely Indian portion of the prisoners. Nothing, however, can be done until a route is opened and we know definitely where all the prisoners are to be.

You, I know, are interested in the Red Crescent Society, and it occurs to me quite likely that you may have friends in Constantinople who could assist us with the Turkish Government in (1) distributing gifts consigned to the American Embassy in Constantinople; (2) in getting those gifts through Bulgaria by some agency; or (3) in getting the Turkish Government's permission to land supplies in a neutral ship at a port, such as Scutari, Smyrna, Adana, or whatever place may be convenient to the Turkish Government.

Will you please let me know whether you can help us in any of these ways? We know from private sources that many of the officers are in a very bad state owing to the long marches which they have undergone between Baghdad and Asia Minor, and that very many of them are suffering from dysentery and other exhausting diseases. Sir John Hewett and my Committee, like many other people, are appalled to think what the result may be unless clothing and comforts can be got through to these men before very long. They will probably most of them die of cold, apart from anything else, if left in places on the highlands of Asia Minor during the winter without proper clothing; and men suffering from dysentery will require medical comforts not to mention such things as condensed milk, etc.

Yours sincerely,
P. D. Agnew
Hon. Secretary."

took a contrary view which afterwards to a great extent prevailed.

As will be seen above, when Constantinople and its neighbourhood were crowded with refugees from different parts of the Turkish Empire, the British Red Crescent Society, under my guidance, helped the administration to relieve sickness and starvation among the homeless people; and the munificence of His Exalted Highness the Nizam enabled us to do some good work with the assistance of British and French workers on the spot.

When the notorious massacre in Smyrna was committed by the Greek forces at the time of their landing in 1919, numbers of suffering Moslems also received assistance at the request of British residents and eye-witnesses. The need for this is shown by the following authentic account of the occurrences in Smyrna and the Aidin District in 1919 by a British eye-witness.

"The Turkish authorities issued a General Order the day before the landing that no resistance was to be offered—a time was also named for handing over G. H. Q.

"The order seems to have been obeyed, but the Greek troops broke into some of the places where Turkish officers were gathered and shot down all who refused to cry 'Zeto Venezelose.' I am told that between 200 and 300 officials were killed, but am not able to substantiate the statement as to numbers.

Strathpeffer, N.B.
18th August 1916

My Dear . . .

I have received a very important communication from Agnew, asking my advice as to how they might send help to British prisoners in Turkey, and if I can give any assistance. The Foreign Office, the War Office the India Office, the Indian Soldiers Fund, and the Red Cross, had a joint conference but could not arrive at a solution. Agnew now writes to me.

As you are not here I consulted General Rundle who is here

He said question is a very big one and that I ought to give my views to Grey or to Hardinge or to De Bunsen, and not to someone in a subordinate position like Agnew. I propose to write to Agnew and say that I would be only too glad to give any assistance I can, and am willing to write to the Turks I know, as he suggests.

But in order that help may reach its destination effectively, the question has to be dealt with, in my opinion, by the F.O. in an Imperial manner.

I am, therefore, submitting a Memorandum to Lord Hardinge direct. What do you think of this?. . . ."

"The Vali was dragged along the quay with his hands up and carried a prisoner on board a Greek ship. His fez was taken and trampled under foot. His wife (a purdah lady) was hurt and his house looted. The Chief of the Turkish Staff was bayonetted in the face and thrown into the hold of a Greek cattle-ship among the cattle. The senior doctor of the Turkish Army Corps was murdered and on Monday last the body had not been found. The Chief of the Artillery was also murdered, his brother a young doctor was robbed of everything even to his wedding ring; he showed me the mark made in getting it off, and said in some cases fingers had been cut to remove rings. His wife, though a Russian, was robbed of everything too.

"These are only a few cases I saw myself—everywhere it has been the same. In the villages not only have houses been looted but burnt or pulled down.

"What the Allied fleet was doing to allow this sort of thing to go on I don't understand, for the Greeks, both Military and Civil, took a hand in it—and it was not until they were attacked that the Turks showed any fight. The Greeks claim that Smyrna is Greek—as a matter of fact Christians are in a majority here—but not Greek Christians. Of Ottoman Greeks and Ottoman Turks there are more Ottoman Turks.

"In other places, such as Mainsa, which I understand the Greeks are to occupy, four-fifths of the population is Moslem.

"There are a few purely Greek villages near Smyrna, but the population as a whole is Moslem. Can nothing be done to get a Commission of Inter-Allied Commissioners who know the country—sent to report on the population?

"This time I have been to Dianan and Dinizle, both places full of refugees from the Aidin Distirct, which, as you probably know, has been destroyed by the Greek Army. It seems that after occupying Aidin the Greeks began to arrest all Turkish notables in spite of the expostulations of the Turkish Government. They next began a house to house visitation for arms—violating harems and insulting and robbing the ladies. This induced a number of Moslem families to leave the town and seek refuge in the mountains. The Greeks promptly burnt their houses, and of course, the men returned bent on revenge and the trouble started. The Greeks used machine guns and mowed down everybody including a number of Christians, and they killed every Moslem they could lay their hands on, women and children were shut up in houses nominally for safety and then the houses were burnt, and all the usual horrors attendant on massacres went on. I think the worst indi-

vidual act of cruelty was the fate meted out to four women who defended themselves and their homes with their husbands' guns. They were caught and killed by being impaled on wooden spikes.

"When the town had been destroyed the Greeks attacked the farms and villages, 69 of the latter have been wiped out and farms belonging to Moslems have been destroyed. There must be about 100,000 refugees, at least, about the country, most of them escaped with only the clothes they were wearing and are in the depths of misery. 9,716 are said to have been killed, while there is a long list of missing. What is going to happen to these people during the winter I can't think.... The further advance of the Greeks has been stopped by the 'National Turkish Army' which also turned them out of Nazili. Even many of the Ottoman Greeks themselves are beginning to regret the advent of the Hellenic Army, they say 'that if they remain, Anatolia will become a second Macedonia.' Besides they got rather a sickener of their Hellenic friends at Aivali. There a band of about 1,500 Turks attacked the Greek Army some 300 strong with guns, and the Greeks ran away. The local Christians wanted to run, too, but the Hellenes found them in the way, and turned on them with their bayonets. The result was that, between the advancing Turks and retiring Greeks, they get pretty well wiped out. When they had finished retiring the Greek army wiped out all the Moslem villages in that region in revenge.

"You know the first Greek Division to land in Smyrna was the very Division which murdered our Marines and the French at Athens before Greece was starved into war. We have short memories, have we not? And, of course, the man in the street knows nothing of what has been going on."

We appealed to Mr. Lloyd Geogre to stay the advance of the Greeks but our request was unheeded,

The Rev. Mr. Frew, formerly British Chaplain at Constantinople, who had so nobly assisted the British Red Crescent Society's charitable activitres there and in Thrace during the Balkan Wars, again went forth on our behalf to the districts of Anatolia where the suffering was most acute Our help was given without stint to Mustapha Kemal's new society for the welfare of the Turkish children, and it continued to the very day on which the Angora Turks singled me out for violent personal attack.

After the defeat of the Greeks and the flight of Sultan Wahid-ud-din (Muhammad VI) in 1922 the Angora Turks elected Abdul

Majid as Caliph. This cultivated and patriotic man received the "Baiat" of the Turkish Assembly and the spiritual allegiance of the Turkish nation.

The Caliphate is a spiritual dignity which has existed since the early days of Islam. Like the Papacy in Catholic Christendom, it is the keystone of orthodox faith. It commands respect even among Moslems who are not strictly orthodox and who give spiritual allegiance to other Pontiffs.

Some time after this the Angora Turks planned the total abolition of the Caliphate, at the instigation, as was supposed, of their Premier Ismet Pasha.

H.H. the Aga Khan, himself the sole spiritual leader of a large sect of non-orthodox Moslems, and I felt it our duty jointly to appeal to Angora for the maintenance of the Caliphate with its age-long traditions, and the world of Islam was at one with our sentiments.

As unprejudiced readers agreed our letters to Fethy Bey and Ghazi Ismat Pasha contained no reason to justify the subsequent fury of the Angora Government; which prosecuted the unfortunate editors of some Constantinople newspapers for publishing them. In addressing the Tribunal the Angora Public Prosecutor stigmatised H.H. the Aga Khan and me as "the real criminals".

In December 1923 Shevky Pasha, with whom I had been on friendly terms during his stay in England, came to ask me to overlook the conduct of the "new Turks" towards me. I replied that unless a public apology was offered for the violence of their expressions, I would no longer be concerned with them, and I have maintained this attitude.

The Turks of Angora have this year (1928) disestablished Islam as the State Religion of Turkey. "The Times" in a leading article on the matter aptly said, "New Turkey is apparently borrowing its principles from the banks of the Neva and the Seine."

Turkey possessed the sympathy and support of the Islamic world so long as she maintained the Caliphate, but alienated it the moment the Caliph and his family were ejected from her territory without provision and with the confiscation of all their property, to subsist on the charity of other Moslems, and some

Christians, in a Christian country.

This act of the new rulers of Turkey has been worthily denounced by the Ulema of Al-Azhar, the rigorous representatives of orthodox Islam.

The Privy Council

In November 1909, I was appointed a member of His Majesty's Privy Council in order to serve on the Judicial Committee. This I have done for nearly 19 years.

For the first three years I gave my services entirely without stipend; as did Sir John Edge. It was only on Sir Arthur Wilson's retirement that Sir John Edge and I received the "indemnity" under Act II and III, Will. IV, but this so-called "indemnity" did not cover a fraction of what was entailed in attendance at the sittings of the Board. The sum considered sufficient in 1832 was wholly inadequate 80 years later. The Appeals had increased immensely and sittings were almost constant. But we who were appointed as experts in Indian Law did not receive from His Majesty's Government even the emolument paid to the members of the Council of the Secretary of State for India. It is only now *after* our long services that a measure has been introduced to give new members for the Judicial Committee ten times the "indemnity" we received.

When I joined the Judicial Committee Lord MacNaughton ordinarily presided at the sittings of the Board. He was unquestionably the ablest member of the Judicial Committee and his experience was most valuable. In his time each member of the Board took charge of the judgment in rotation, nor was any case ever taken out of turn. He thus maintained a unformity of practice with a sense of responsibility among his colleagues. Since his death this time-honoured system which had worked so admirably for more than a century has disappeared.

On a recent occasion when the President had allotted me a judgment to write, a member of the Board suggested that it would have more weight if delivered by a Peer! I was, therefore, required to write a Memorandum for the use of my learned and noble colleague.

How necessary it was to have on the Board a member thoroughly acquainted with the customs and institutions of India as a whole and some knowledge of the ordinary phrases in use in the different parts of the country. will appear from the ract that a "Wilson's Glossary" was in constant use for the interpretation of c mmon terms: cften the meaning of quite simple words was a subject co debate among opposing counsel.

As the Indian Appeals came from every part of the great sub-continent, experience of one Province or of one High Court or of one community is insufficient. It was essential, I found, to have a general idea of the entire Indian Empire and the various people. To quote one instance only, the Burmese are quite distinct from the peoples of India; and the growth of their institutions has proceeded on different lines.

There has been much talk within the last year to two of "improving" the Judicial Committee.

Shorn of its verbiage the implication involved in this statement is that the administration of justice has hitherto been defective, and that the great minds who now rule the Empire have only just awakened to the idea. This plain statement will, I fear, affect the confidence of the people of the Eastern Empire of England in the administration of justice. It will lead them to think that men like Barnes Peacock, Kingdom, Colville, MacNaughton, and others before and since, had not been competent and that their incapacity is only now comprehended.

I have been a party to a number of cases in which I have fundamentally differed from my noble colleagues. I would be very loth, however, to charge them with incompetence. English Law, like all highly developed systems, is a paradoxical jumble of principles. In deciding the cases to which I refer, the majority, in my opinion, wrongly applied English doctrines to Indian institutions. But it would be impertinence to say that there was incompetence—a charge now levelled at a judicial body whose reputation should be sedulously maintained as a matter of State policy.

Two currents of opinion with regard to the Judicial Committee are running in India. One is represented by the Government of

India, which naturally desires to have in its own hands the nominations to it under cover of the phrase "the improvement of the Judicial Committee". In its desire to introduce its own proteges under pretext of "recent experience" it has failed to perceive the slur cast upon all the past Lords of Appeal who have sat on the Board, and that this weakens the authority of the judgments delivered before the access of "recent experience".

So far as Hindu Law is concerned, neither Manu, Yanjnuvalkya, Vijnaneswara or Jamutayahana can receive much light from "recent experience". If the Government of India had due understanding of the work of the Judicial Committee, it would have realised that the cases in which "recent experience" can be of the slightest value are few and far between.

A Bill has recently been introduced in Parliament for the reconstitution of the Judicial Committee. It frankly abolishes the old established rule of "judicial experience" as being the *sine qua non* for eligibility for appointment to His Majesty's Privy Council. It embodies in a concrete form the spirit of the age which has manifested itself in India. "Judicial experience" hitherto furnished a definite standard of qualification. Under the new measure there is none: every legal practitioner above the grade of a "Mukhtar" of fourteen years standing is declared eligible for appointment to the highest Tribunal of the Empire which has until now commanded the confidence of India, and has been the admiration of the world.

Appendices

APPENDIX I

JOHN MORLEY'S REPLY TO LONDON MUSLIM LEAGUE DEPUTATION: 27 JANUARY 1909

[Viscount Morley, *Indian Speeches* (1907-1909), Macmillan, London, 1910, pp. 98-112]

I am delighted to meet you to-day, because I have always felt in my political experience, now pretty long, that it is when face answers to face that you come best to points of controversial issue. I have listened to the able speech of my friend Mr. Ameer Ali and to the speech that followed, with close attention, not merely for the sake of the arguments upon the special points raised, but because the underlying feeling and the animating spirit of the two speeches are full of encouragement. Why? Because instead of any hostile attitude to our reforms as a whole, I find that you welcome them cordially and with gratitude. I cannot say with what satisfaction I receive that announcement. If you will allow me, I will, before I come to the special points, say a few words upon the general position.

It is only five weeks, I think, since our scheme was launched and I am bound to say that at the end of those five weeks the position may fairly be described as hopeful and promising. I do not think that the millennium will come in five more weeks, nor in fifty weeks; but I do say that for a scheme of so wide a scope to be received as this scheme has been received, is a highly encouraging sign. It does not follow that because we have launched our ship with a slant of fair wind, this means the same thing as getting into harbour. There are plenty of difficult points that we have got to settle. But when I try from my conning-tower in this office, to read the signs in the political skies, I am full of

confidence. The great thing is that in every party both in India and at home—in every party, and every section, and every group—there is a recognition of the magnitude and the gravity of the enterprise on which we have embarked. I studied very closely the proceedings at Madras, and the proceedings at Amritsar, and in able speeches made in both those places I find a truly political spirit in the right sense of the word—in the sense of perspective and proportion—which I sometimes wish could be imitated by some of my political friends nearer home. I mean that issues, important enough but upon which there is some difference, are put aside—for the time only, if you like, but still put aside—in face of the magnitude of the issues that we present to you in these reforms. On Monday, in *The Times* newspaper, there was a long and most interesting communication from Bombay, written, I believe, by a gentleman of very wide Indian knowledge and level-headed humour. What does he say? He takes account of the general position as he found it in India shortly after my Despatch arrived. "I might have dwelt," he says, "upon the fact that I have not met a single official who does not admit that some changes which should gratify Indian longings were necessary, and I might have expatiated upon the abounding evidence that Lord Morley's despatch and speech have unquestionably eased a tension which had become exceedingly alarming." That is a most important thing, and I believe Parliament has fully recognised it.

We cannot fold our arms and say that things are to go on as they did before, and I rejoice to see what this gentleman says. He is talking of officials, and I always felt from the beginning that if we did not succeed in carrying with us the goodwill of that powerful service, there would be reason for suspecting that we were wrong upon the merits, and even if we were not wrong on the merits, there would be reason for apprehending formidable difficulties. I have myself complete confidence in them. I see in some journals of my own party suspicions thrown upon the loyalty of that service to his Majesty's Government of the day. It is absurd to think anything of the kind. If our policy and our proposals receive the approval of Parliament and the approval of officials, such as those spoken of in *The Times* the other

day, I am perfectly sure there will be no more want of goodwill and zeal on the part of the Indian Civil Service, than there would be in the officers of his Majesty's Fleet, or his Majesty's Army. It would be just the same. I should like to read another passage from *The Times* letter:—"It would probably be incorrect to say that the bulk of the Civil Service in the Bombay Presidency are gravely apprehensive. Most of them are not unnaturally anxious"—I agree; it is perfectly natural that they should be anxious—"but the main officials in whose judgment most confidence can be placed, regard the future with the buoyant hopefulness without which an Englishman in India is lost indeed." All that is reassuring, and no sign nor whisper reaches me that any responsible man or any responsible section or creed, either in India. or here, has any desire whatever to wreck our scheme. And let me go further. Statesmen abroad, showing themselves capable of reflection, are watching us with interest and wishing us well. Take the remarkable utterance of President Roosevelt the other day at Washington. And if we turn from Washington to Eastern Europe, I know very well that any injustice, any suspicion that we were capable of being unjust, to Mahomedans in India, would certainly provoke a severe and injurious reaction in Constantinople. I am alive to all these things. Mr. Ameer Ali said he was sure the Secretary of State would mete out just and equitable treatment to all interests, if their views were fairly laid before him. He did me no more than justice. The Government are entirely zealous and in earnest, acting in thorough good faith, in the desire to press forward these proposals. I may tell you that our Bill is now quite ready. I shall introduce it at the first minute after the Address is over, and, when it reaches the Commons, it will be pressed forward with all the force and resolution that Parliamentary conditions permit. These are not mere pious opinion or academic reforms; they are proposals that are to take Parliamentary shape at the earliest possible moment: and after taking Parliamentary shape, no time will, I know, be lost in India in bringing them as rapidly as possible into practical operation

Now the first point Mr. Ameer Ali made was upon the unfairness to the members of the Mahomedan community, caused by reckoning in the Hindu census a large multitude of men who are not entitled

to be there. I submit that it is not very easy—and I have gone into the question very carefully—to divide these lower castes and to classify them. Statisticians would be charged with putting too many into either one or the other division, wherever you choose to draw the line. I know the force of the argument, and am willing to attach to it whatever weight it deserves. I wish some of my friends in this country would study the figures of what are called the lower castes, because they would then see the enormous difficulty and absurdity of applying to India the same principles that are excellent guides to us Westerns who have been bred on the pure milk of the Benthamite word—one man one vote and every man a vote. That dream, by the way, is not quite realised even in this country; but the idea of insisting on a principle of that sort is irrational to anybody who reflects on this multiplicity and variety of race and castes.

Then there is the question of the joint electorate—what is called the mixed electoral college. I was very glad to read this paragraph in the paper that you were good enough to send to me. You recognise the very principle that was at the back of our minds, when we came to the conclusion about mixed electoral college. You say:—"In common with other well-wishers of India, the Committee look forward to a time when the development of a true spirit of compromise, or the fusion of the races, may make principles indicated by his Lordship capable of practical application without sacrificing the interests of any of the nationalities, or giving political ascendency to one to the disadvantage of the others. But the Committee venture to think that, however ready the country may be for constitutional reforms, the Interests of the two great communities of India must be considered and dealt with separately". Therefore, to begin with, the difference between us in principle about the joint electorate is only this: we are guilty of nothing worse than that we were premature, in the views of these gentlemen—we were limpatient idealists. You say to me. "It is very fine; we hope it will all come true: but you are premature, we must wait". Still, though premature, I observe that your own suggestion in one of those papers adopts and accepts the principle of the scheme outlined in our despatch. It is quite true to say, "Oh, but you are

vague in your despatch." Yes, a despatch is not a Bill. A Minister writing a despatch does not put in all the clauses and sections and subsections and schedules. It is the business of a Minister composing a despatch like mine of November 27, 1908, to indicate only general lines—general enough to make the substance and body of the scheme intelligible, but still general. I should like to say a word about the despatch. It is constantly assumed that in the despatch we prescribed and ordered the introduction of joint electoral college. If any of you will be good enough to look at the words, you will find that no language of that sort—no law of the Medes and Persians—is to be found in it. If you refer to paragraph 12 you will see that our language is this:

> "I suggest for your consideration that the object in view might be better secured, at any rate in the more advanced provinces in India, by a modification of the system of popular electorate founded on the principle of electoral colleges."

You see it was merely a suggestion thrown out for the Government of India, not a direction of the Mede and Persian stamp. You say, "That for the purpose of electing members to the Provincial Councils, electoral colleges should be constituted on lines suggested by his Lordship, composed exclusively of Mohamedans whose numbers and mode of grouping should be fixed by executive authority." This comes within the principle of my despatch, and we shall see—I hope very speedily—whether the Government of India discover objections to its practicability. Mark, electoral colleges "composed exclusively of Mahomedans whose members and mode of grouping should be fixed by executive authority"—that is a proposition which is not outside the despatch. Whether practicable or not, it is a matter for discussion between us here and the Government in India.

The aims of the Government and yours is identical—that there shall be (to quote Mr. Ameer Ali's words) "adequate, real and genuine Mahomedan representation". Now, where is the difference between us? The machinery we commended, you do not think possible. As I have told you, the language of the despatch does not insist upon a mixed electoral college. It would be no departure in substance from the purpose of our suggestion, that there

should be a separate Mahomedan electorate—an electorate exclusively Mahomedan; and in view of the wide and remote distances, and difficulties of organisation in consequence of those distances in the area constituting a large province, I am not sure that this is not one of those cases where election by two stages would not be convenient, and so there might be a separate electoral college exclusively Mahomedan. That is, I take it, in accordance with your own proposal. There are various methods by which it could be done. In the first place, an election exclusively Mahomedan might be direct into the legislative council. To this it may be said that it would be impossible by reason of distance. In the second place, you could have an election by separate communities to a local board, and the local board should be the electoral college, the Mahomedans separating themselves from the other members of the board for that purpose. Thirdly, the members of the local board, the communities being separate in the same way, could return a member for the electoral college. Fourthly, you might have a direct election to an electoral college by the community, and this electoral college would return a representative to the legislative council. These, you see, are four different expedients which well deserve consideration for attaining our end.

I go to the next point, the apprehensions lest if we based our system on numerical strength alone, a great injustice would be done to your community. Of course we all considered that, from the Viceroy downwards. Whether your apprehensions are well founded or not, it is the business of those who call themselves statesmen to take those apprehensions into account, and to do the best we can in setting up a working system to allay and meet such apprehensions. If you take numerical strength as your basis, in the Punjab and Eastern Bengal Mahomedans are in a decisive majority. In the Punjab the Moslem population is 53 per cent to 38 per cent Hindu. In Eastern Bengal 58 per cent are Moslem and 37 per cent are Hindu. Therefore, in those two provinces, on the numerical basis alone, the Mahomedans will secure sufficient representation. In Madras, on the other hand, the Hindus are 89 per cent against 6 per cent of Moslems, and, therefore, numbers would give no adequate representation to Moslem opinion. In

Bombay the Moslems are in the ratio of 3¾ to 14 millions—20 per cent to 77 per cent. The conditions are very complex in Bombay, and I need not labour the details of this complexity. I am inclined to agree with those who think that it might be left to the local Government to take other elements into view required or suggested by local conditions. Coming to the United Provinces, there the Moslems are 6¾ millions to 40¾ Hindus—14 per cent to 85 per cent. This ratio of numerical strength no more represents the proportion in the elements of weight and importance, than in Eastern Bengal does the Hindu ratio of 37 per cent to 58 per cent of Moslems. You may set off each of those two cases against the other. Then there is the great province of Bengal, where the Moslems are one-quarter of the Hindus—9 millions to 39 millions—18 per cent to 77 per cent.

We all see, then, that the problem presents extraordinary difficulty. How are you going in a case like the United Provinces, for example, to secure that adequate and substantial representation, which it is the interest and the desire of the Government for its own sake to secure. No fair-minded Moslem would deny in Eastern Bengal, any more than a fair-minded non-Moslem would deny it in the United Province, that there is no easy solution. You see, gentlemen, I do not despair of finding a fair-minded man in a controversy of this kind. From information that reaches me I do not at all despair of meeting fair-minded critics of both communities, in spite of the sharp antagonism that exists on many matters between them. But, whatever may be the case with Mahomedans and Hindus, there is one body of men who are bound to keep a fair mind, and that is the Government. The Government are bound, whatever you may do among yourselves, strictly, and I will even say sternly, to insist on overcoming all obstacles in a spirit of absolute equity. Now, what is the object of the Government? It is that the Legislative Councils should represent truly and effectively, with a reasonable approach to the balance of real social forces, the wishes and needs of the communities themselves. That is the object of the Government, and in face of a great problem of that kind, algebra, arithmetic, logic—none of these things will do your business for you. You have to look at it widely and away from those sciences, excellent in their place, but not

of much service when you are solving awkward political riddles. I think if you allow some method of leaving to a local authority the power of adding to the number of representatives from the Mahomedan community, or the Hindu community, as the case may be, that might be a possible and prudent way of getting through this embarrassment. Let us all be clear of one thing, namely—and I thought of this when I heard one or to observations that fell from Mr Ameer Ali—that no general proposition can be wisely based on the possession by either community, either of superior civil qualities or superior personal claims. If you begin to introduce that element you perceive the perils to that peace and mutual goodwill which we hope to emerge by-and-by, though it may take longer than some think. I repeat that I see no harm from the point of view of a practical working compromise, in the principle that population, or numerical strength, should be the main factor in determining how many representatives should sit for this or the other community; but modifying influences may be both wisely and equitably taken into account in allotting the numbers of such representatives.

As regards Indian members on the Executive Council, if you will allow me to say so, I think it was dubious tactics in you to bring that question forward. We were told by those who object, for instance, to my recommending to the Crown an Indian member of the Viceroy's Executive—that it will never do; that if you choose a man of one community, the other will demand a second. The Executive Council in all—this will not be in the Bill—consists of six members. Suppose there were to be two vacancies, and I were to recommend to the Crown the appointment of one Mohomedan and one Hindu, the effect would be that of the six gentlmen one-third would be non-English. You may think that all right, but it would be a decidedly serious step. Suppose you say you will bring in a Bill, then, for the purpose of appointing an extra member always to be an Indian. That is much more easily said than done. I am talking perfectly plainly. You would not get such a Bill. I want to talk even more plainly. I want to say that reference to the Hindu community or the Mahomedan community, in respect to the position of the Viceroy's Executive, is entirely wide of the mark in the view, I know, both of the Viceroy and of myself. If, as I have already

seen I expect, it may be my duty by-and-by to recommend to the Crown the name of an Indian member, it will not be solely for the sake of placing on the Viceroy's Executive Council an Indian member simply as either a Hindu or a Mahomedan. Decidedly we are of opinion that the Governor-General-in-Council will be all the more likely to transact business wisely, if he has a responsible Indian adviser at his elbow. But the principle in making such a recommendation to the Crown would be to remove the apparent disability in practice—for there is no disability in law—of an Indian holding a certain appointment because he is an Indian. That is a principle we do not accept; and the principle I should go upon—and I know Lord Minto would say exactly the same—is the desirability of demonstrating that we hold to the famous promise made in the proclamation of Queen Victoria in 1858, that if a man is fully qualified in proved ability and character to fill a certain post, he shall not be shut out by race or religious faith. There is a very great deal more to be said on this most important subject; but to-day I need only tell you—which I do with all respect; without complaining of what you have said, and without denying that in practical usage some day there may be means of alteration for meeting your difficulty—I see no chance whatever of our being able to comply with your present request.

I have endeavoured to meet you as fairly as I possibly could. I assure you again we are acting in earnest, with zeal and entire good faith; and any suggestion that any member of the Government, either in this office or the Government of India, has any prejudice whatever against Mahomedans, for the purpose of political administration in India, is one of the idlest and most wicked misapprehensions that could possibly enter into the political mind. I am greatly encouraged by having met you. I am sure that you speak in the name of important bodies of your own countrymen and of your own community. I am sure that you are going to look at our proposals in a fair and reasonable spirit, and give us credit for a desire to do the best that we possibly can in the interest of all the communities in India, including also the interests of the British Government. I can only tell you

further, that if this action of ours fails, miscarries, and is wrecked, it will be a considerable time before another opportunity occurs. You will never again—I do not care whether the time be long or be short—you will never again have the combination of a Secretary of State and a Viceroy, who are more thoroughly in earnest in their desire to improve Indian government, and to do full justice to every element of the Iudian population.

APPENDIX II

PRESIDENTIAL ADDRESS TO THE MUSLIM LEAGUE DELHI SESSION: 29 JANUARY 1910

[*The Civil and Military Gazette*, Lahore, 1 February 1910]

In the course of the address Syed Amir Ali said that since the last session important constitutional changes had been inaugurated in the country, the free [*sic*] results of which could hardly be realised yet. Others were on the *tapis* which when formulated would no doubt be carefully considered by the League in all their bearings. Throughout the controversy to which the Reform proposals gave rise, the Mussulman attitude was singularly sober and moderate, neither their claims nor their action in urging them implied any encroachment on or disregard of the rights of any other body, and the Mussulman people owed a debt of gratitude to the League and its branches for having in the first place grasped the situation that had suddenly risen in India, and in the second for having consistently followed the policy necessary in dealing with it. In the great controversy regarding the share of the Mahomedans in the new constitutional privileges the Crown had extended to the people of India, the writer confessed he had not been able to understand the rigidity displayed by so many high placed officials towards the Mahomedan claims, but he regarded the subject as now closed and sincerely trusted the two great communities whom the Reforms mainly affected would decide to work together in harmony and concord for the good of their common country. To the Mussulmans of India the permanence of British rule was a matter of the utmost importance, their sympathies and interests extended far beyond the limits of the Indian continent, and the peaceful maintenance and the

peaceful development of all they valued depended on England retaining her predominant place in the Council Chambers of the civilised world. It was therefore essential for them as Mussulmans to associate themselves wholeheartedly in the maintenance of law and order, to co-operate in all loyalty of spirit with the servants of the Crown, to promote the country's welfare, and to put aside all wild and visionary dreams about India's sudden emergence into independence. At the present stage of the country's development it behoved them all to impress on the rising generation the duties of loyal citizenship and the necessity of realising India's needs in a sober spirit. For their own people the question of economic development overshadowed all others. It had an importance for every class, the rich magnate, the wealthy landowner could not dissociate himself from his humble brother of the lower ranks of the middle class without serious injury to the whole body, himself included. Within the last forty years, education, and especially English education, had made enormous strides among the Mussulman people, yet their material and economic condition had not improved in proportion; indeed in some places there were signs of retrogression. What were the causes of this deplorable feature? The fact was that the men of wealth had not chosen to take part in their national life; although thrift was part of the religion of Islam, they in India allowed it little scope in practice; many profitable fields of industry, commerce, and trade lay uncultivated, nor had any method of co-operation been thought of with the object of checking the impoverishment of Mussulman families. While he would warn his co-religionists against neglecting, in favour of political pursuits, those departments of industry or study which conduced to national prosperity, he would suggest to the Central League and all the Mussulman organisations to join in establishing what might be called a "system of moderation" for the election of Mussulman members on Councils, District Boards, Municipalities and Local Boards. This would not interfere with the legitimate ambitions of any politician, but by removing friction and personal rivalry assure to each candidate a successful issue and to the community generally some degree of credit. Further he would suggest that the League should divide its Committee or

the Council into sections, which would deal with such divisions of the work as economic questions, political questions, educational questions, and sociological questions, as it was only through the agency of small bodies of competent and earnest people that much practical work would be effected. But the actual application of the measures adopted would rest with the Provincial Leagues, and the success attained would depend on their energy and loyalty. So far they had given wholehearted support to the Central League, and he trusted this loyalty would always be maintained as it was absolutely essential that there should be loyalty on all sides and subordination of individual interests to the common weal.

APPENDIX III

IMPORTANT DATES IN AMEER ALI'S LIFE

1849	Born at Chinsura on 6 April.
1856	Father, Saadat Ali, dies of cholera.
1867	Graduates at the Hooghly College.
1868	Takes his M.A. degree in History and Political Science, and his LL.B. degree.
	Sails for England in December on a State Scholarship.
1869	Arrives in England at the end of January.
1873	Called to the Bar at the Inner Tample on 27 January.
	Returns to India.
	The Critical Examination of the Life and Teaching of Muhammad published.
	Enrolled as an advocate of the Bengal High Court in February.
1874	Elected a Fellow of the University of Calcutta.
1875	Pays a three-week visit to England.
1877	Founds the National Muhammadan Association.
	Pays a five-week visit to England.
	Appointed a Presidency Magistrate.
1878	Appointed a member of the Oudh Commission of Inquiry.
1879	Appoined officiating Chief Presidency Magistrate.
1879-80	Pays another visit to England on medical leave.
	Writes the first draft of *Personal Law of the Muhammadans.*
	Meets his future wife on Friday, 16 July 1880.
	Publishes his first article in the *Nineteenth Century.*

Appendix III

1881	Resigns from magistracy in June.
1882	The National Muhammadan Association submits its memorial to the Viceroy in February.
1883	Ends his term as member of the Bengal Legislative Council.
	Appointed member of the Imperial Legislative Council.
1884	Marries in London.
	Elected Tagore Professor of Law at the University of Calcutta.
1886	His first son, Waris Ameer Ali, is born on 12 October.
1889	*Short History of the Saracens* published.
1890	Appointed judge of the Bengal High Court.
1891	*The Spirit of Islam* published.
	His second son, Torick Ameer Ali, is born on 8 June.
1895	Spends furlough in England.
1904	Retires from the Calcutta bench in April.
	Settles in England.
1908	Establishes the London Muslim League in May.
1909	Leads a London Muslim League deputation to the Secretary of State for India on 27 January.
	Created a Privy Councillor on 22 Novmeber.
1910	President of the All-India Muslim League Delhi Session. (Could not go to India.)
1911	Founds the British Red Crescent Society. Elected its president.
1913	Resigns from the London Muslim League.
1923	Writes (with the Aga Khan) his famous letter to the Prime Minister of Turkey on 24 November.
1928	Sends his memorandum to the Indian Statutory Commission on 8 June.
	Dies on 3 August.
	Funeral at the Brookwood Cemetery on 7 August.

Appendix IV

LIST OF WORKS BY AMEER ALI

This is by no means a complete or exhaustive list. I have excluded all his writings on law, and may have omitted some publications on other subjects. My effort has been to include all *significant* material.

1. Books

1. *The Critical Examination of the Life and Teaching of Muhammad*, London, 1873.

2. *Short History of the Saracens*, Macmillan, London, 1889 (still in print).

3. *The Life and Teaching of Muhammad, or the Spirit of Islam*, Christophers, London, 1891 (still in print). The current edition (1922) is entitled *The Spirit of Islam.*

4. *Islam*, Constable, 1906.

5. "Additional Chapter on Moslem Feeling" in *The Turco-Italian War and Its Problems* by Sir Thomas Barclay, Constable, London, 1912, pp. 102-8,

2. Articles

1. "Some Indian Suggestions for India", *Nineteenth Century*, June 1880, pp. 963-78.

2. "Memorial of the National Muhammadan Association to His Excellency the Most Hon'ble the Marquess of Ripon, K. G., P. C., G. M. S. I., Viceroy and Governor General of India," n. p., Calcutta, February 1882.

3. "A Cry from the Indian Muhammadans", *Nineteenth Century*, August 1882, pp. 193-215.

4. "The Life Problem of Bengal", ibid., September 1883, pp. 421-40.

5. "The Real Status of Women in India", ibid., September 1891, pp. 387-99.

6. "The Rupee and the Ruin of India", ibid., March 1893, pp. 515-24.

7. "Islam and its Critics", ibid., September 1895. pp. 361-80.

8, "Islam and Canon Mac Coll", ibid., November 1895 pp. 778-85.

8. "The Influence of Women in Islam", ibid., May 1899, pp. 755-74.

10. "An Indian Retrospect and Some Comments", *Nineteenth Century and After*, October 1905, pp. 607-20.

11. "India and the New Parliament", ibid., August 1906, pp. 254-67.

12· "Dawn of a New Policy in India", ibid., November 1906, pp. 823-34.

13. "Afghanistan and its Ruler", ibid., January 1907, pp. 42-51.

14. "The Unrest in India——Its Meaning', ibid., June 1907. pp. 873-85.

15. "The Racial Characteristics of Northern India and Bengal", ibid., November 1967, pp. 699-715.

16. "Anomalies of Civilization: A Peril to India". ibid , April 1908, pp. 568-81.

17. "The Constitutional Experiment in India", ibid , March 1910, pp. 394-406.

18. "The Caliphate: A Historical and Juridical Sketch", *Contemporary Review*, June 1915, pp. 681-94.

19. "The Caliphate and the Islamic Renaissance", *Edinburgh Review*, January 1923, pp. 180-95.

20. " The Modernity of Islam", *Islamic Culture*, January 1927, pp. 1-5.

21. "Islamic Culture in India", ibid., July 1927, pp. 331-57.

22. "Islamic Culture under the Moguls", ibid., October 1927, pp. 499-521.

23. "Islamic Jurisprudence and the Necessity for Reform", ibid., October 1928, pp. 477-84,

3. Letters to the Press

1. "Muslim Representation and the Indian Reforms," *The Times*, 14 January 1909.

2. "Muhammadans and the Indian Reforms," ibid., 20 May 1909.

3. "The Enlarged Indian Councils", ibid., 17 November 1909.

4. "Italy and Tripoli," ibid., 28 September 1911.

5. Great Britain and the War," ibid., 11 October 1911.

6. "Italy and Turkey," ibid., 1 November 1911.

7. "The War in Tripoli," ibid., 1 December 1911.

8. "British Policy in Persia," ibid., 26 September 1912.

9. Moslems and the War," ibid., 24 October 1912.

10. "The Indian Civil Service," *Westminster Gazette*, 20 March 1915.

11. "The Sultan of Turkey and the Caliphate," *The Nation*. 9 July 1916.

12. "On Communal Representation," *The Times*, 14 August, 1918.

13. "Constantinople," ibid., 27 November 1918.

14. "France and the Riff", ibid., 2 January 1919.

15. "The Turkish Peace Terms", ibid., 6 June 1919.

16. "The Turkish Peace Settlement", ibid., 2 August 1919.

17. "On E. S. Montagu's Resignation", ibid., 14 March 1922.

18. "Peace in the Near East", ibid., 18 August 922.

19. "Prime Minister and the Turks", ibid., 17 October 1922.

20. "Turkey and the Caliph", ibid., 2 November 1922.

21. "On His Letter to the Prime Minister of Turkey", ibid., 14 December 1923.

22. "On the Letter to the Prime Minister of Turkey", ibid., 17 December 1923.

23. "The Task before the Indian Statutory Commission", ibid., 4 November 1927.

4. Speeches

1. Speech at the London Muslim League Inaugural Meeting, 6 May 1908.

2. Speech at the London Muslim League Breakfast Meeting, 17 November 1908.

3. Speech at the London Muslim League Inaugural Luncheon, probably 1909.

4. Speech at the Aligarh Dinner, n.d.

5. Presidential Address to the All India Muslim League Delhi Session, 29 January 1910.

6. Speech at the London Muslim League Meeting, 7 August 1912.

7. The Muhammadans of India and their Place in the Empire, probably 1912.

5. Memoranda

1. Deputation to the Secretary of State for India, 27 January 1909.

2. Memorandum to the Indian Statutory Commission, 8 June 1928.

6. Miscellaneous

1. "An Appeal for Help from the British Red Crescent Society", *The Times*, 5 November 1912.

2. "Letter [with the Aga Khan] to the Prime Minister of Turkey", 24 November 1923.

3. Statement on the Abolition of Khilafat, *The Times*, 5 March 1924.

4. A Note on the so-called "Abolition of the Caliphate", probably April 1924.

5. "Memoirs", *Islamic Culture*, October 1931, pp. 513-42; January 1932, pp. 1-18; April 1932, pp. 163-82; July 1932, pp. 333-62; October 1932, pp. 503-25.

BIBLIOGRAPHICAL NOTE

AZIZ, K.K.

Britain and Muslim India: A Study of British Pnblic Opinion vis a vis The Development of Muslim Nationalism in India, 1857-1947, Heinemann, London, 1963.
Some references to Ameer Ali's activities in London during the making of the 1909 reforms and the controversy about the Turkish peace terms.

BOGRA, BADRUDDIN AHMAD

The Bengal Musalmans or A Short Sketch of Muhammadan Life in Bengal, the Author, Calcutta. 1885
Provides a short but good background against which Ameer Ali's work in Bengal can be studied.

BUCKLAND, C.E.

Bengal under the Lieutenant Governors: being a Narrative of the Principal Events and Public Measures during Their Periods of Office from 1854 to 1901, S.K. Lahiri, Calcutta, 1901. 2 vols.
The period covered coincides with Ameer Ali's time in Bengal.

DUFFERIN AND AVA, MARQUESS OF

Speeches Delivered in India, 1884-1888, John Murray, London, 1890.
Replies to addresses from the Central National Muhammadan Association on pp. 168-74, 203-5.

EMINENT MUSALMANS,

G. A. Natesan, Madras. n.d. (?1926), pp. 145-76.

Appreciative but one-sided. Written to justify and illustrate the Hindu-Muslim entente, therefore very reticent on his services to Indian Islam.

FARQUHAR, J.N.

Modern Religious Movements in India, Hartford-Lawson Lectures on "The Religions of the World" delivered at Hartford Theological Seminary in October 1913, Macmillan, New York, first pub. 1915, rev. ed. 1919.
Sayyid Ahmad Khan, Cheragh Ali, Ameer Ali and Khuda Bukhsh briefly treated.

FITZROY, ALMERIC

Memoirs, Hutchinson, London, n.d. 2 vols.
The Clerk to the Privy Council records the ceremony of swearing in when Ameer Ali joined the Privy Council, pp. 386-7.

GERMANUS, JULIUS

Modern Movements in Islam, Visva Bharati Studies No. 5, Visva Bharati Bookshop, Calcutta, July 1932.
The chapter on Turkey deals in some detail with the Khilafat question.

GIBB, H.A.R.

Modern Trends in Islam, the Haskell Lectures on Comparative Religion delivered at the University of Chicago in 1945, University of Chicago Press, Chicago, first pub. 1947, 2nd. imp. 1950.
A very short reference to Ameer Ali's views on Khilafat and pan-Islamism.

GIBB, H.A.R.

Muhammadanism: A Historical Survey, Home University Library series, Oxford University Press, London, first pub. 1949, 2nd. imp. 1950.
Brief account of Ameer Ali's activities and writings on pp. 182-4.

GOPAL, RAM

Indian Muslims: A Politi·al History (1857-1947), Asia Publishing House, Bombay, 1959.

Several references to the National Muhammadan Association and its activities.

GUILLAUME, ALFRED

Islam, Penguin Books, Harmondsworth, 1954.

Another very brief look at Ameer Ali on pp. 156 7.

INDIAN JUDGES

Indian Judges: Biographical and Critical Ske'ches (with Portraits), G. A. Natesan, Madras, n.d. (?1932). pp. 219-53.

The most detailed treatment yet written. Very sympathetic, but concentrates on his legal and judicial achievements. Obviously by a non-Muslim writer.

LAMMENS, H.

Islam: Beliefs and Institutions, trans. from the French by Sir E. Dension Ross, Methuen, London, 1929.

A passing reference to Ameer Ali on p. 210.

MACNICOL, NICOL

The Living Religions of the Indian People, Wilde Lectures, Oxford, 1932-34, Y.M.C.A. Publishing House, Calcutta, March 1934.

Ameer Ali referred to on p. 159.

MATTHEWS, BASIL

Young Islam on Trek: A Study in the Clash of Civilizations, Friendship Press, New York, 1926.

A Christian missionary approach on pp. 152-3.

MORLEY, VISCOUNT

Indian Speeches (1907-1909), Macmillan, London, 1909.

Gives full text of Morley's reply to the London Muslim League deputation of January 1909 on pp. 98-112.

MOTT, JOHN R. (ED.)

The Muslim World of Today, Hodder and Stoughton, London, 1925.

D.S. Margoliouth's "The Caliphate, Yesterday, Today and Tomorrow" and an anonymous writer's "The Institution of the Caliphate and the Spirit of the Age" are typical examples of the Western Christian view of the Khilafat.

SAILER, T.H.P.

The Muslim Faces the Future: An Introduction to the Study of The Muslim World. Missionary Education Movement of the United States and Canada, New York, 1926.
A Christian missionary looks at Ameer Ali's work on pp. 152-53.

SMITH, WILFRED C.

Modern Islam in India: A Social Analysis, first pub. at Lahore, 1943, rev. ed. Victor Gollancz, London, 1946.
A Marxist analysis of Ameer Ali's interpretation of Islam on pp. 49-55, 152-3, Curious and slanted reasoning.

SYMONDS, RICHARD

The Making of Pakistan, Faber and Faber, London, 1950.
Passing references to Ameer Ali and his work.

TITUS, MURRAY T.

Islam in India and Pakistan: A Religious History of Islam in India and Pakistan, The Christian Literature Society (for the Senate of the Serampore College), Madras, 1959 (first pub. by the Oxford University Press, London, 1930).
Ameer Ali as a Shia and a supporter of the Khilafat on pp. 63, 99. Ameer Ali on Islam on pp. 247 ff.

VALYI, FELIX

Spiritual and Political Revolution in Islam, Kegan Paul, London, 1925.
Treats of Ameer Ali on pp. 60-4.

WASTI, SYED RAZI

Lord Minto and the Indian Nationalist Movement, 1905 to 1910, Clarendon Press, Oxford, 1964.

Useful for Ameer Ali's role in the controversy over the making of the Morley-Minto reforms.

WILSON, SAMUEL G.

Modern Movements among Muslims, Fleming H. Revell, New York, 1916.
"Neo-Islam" of Sayyid Ahmad Khan, Ameer Ali, Cheragh Ali and Khuda Bukhsh on pp. 163-71. The writer believes that pan-Islamism in an anti-Christian movement.

ZWEMER, S.M., WHERRY, E.M., and BARTON, J.L.

The Muhammadan World Today: being papers read at the first Missionary Conference on behalf of the Muhammadan World held at Cairo, April 4-9, 1906, Fleming H. Revell, London, 2nd. ed. 1906.
H U. Weitbrecht contributes a chapter on the "New Islam in India" on pp. 187-204. A Christian opinion.

ZWEMER, S.M.

Across the World of Islam: Studies in Aspects of the Muhammadan Faith and in the Present Awakening of the Muslim Multitudes, Fleming H. Revell, New York, 1929.
Ameer Ali on the Khilafat on p. 17.

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Roman numerals preceding page entries stand for Book One: Life (I) and Book Two: Work (II).

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A Critical Examination of the Life and Teachings of Muhammad, first published 1873. I, 7, 110; II, 543, 555-556, 663.

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